

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 IN RE: NATIONAL)
5 PRESCRIPTION) MDL No. 2804
6 OPIATE LITIGATION)
7 Case No.
8) 1:17-MD-2804
9)
10 THIS DOCUMENT RELATES) Hon. Dan A.
11 TO ALL CASES) Polster
12)

13 FRIDAY, JANUARY 4, 2019

14 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
15 CONFIDENTIALITY REVIEW

16 - - -

17 Videotaped deposition of Ramona
18 Sullins, held at the offices of JONES DAY, 77
19 West Wacker Drive, Chicago, Illinois,
20 commencing at 7:31 a.m., on the above date,
21 before Carrie A. Campbell, Registered
22 Diplomate Reporter, Certified Realtime
23 Reporter, Illinois, California & Texas
24 Certified Shorthand Reporter, Missouri &
25 Kansas Certified Court Reporter.

- - -

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<p style="text-align: right;">Page 6</p> <p>1 Walmart E-mail(s), Sullins 22 WMT_MDL_000017434 - 2 WMT_MDL_000017435 3 Walmart E-mail(s), Sullins 23 WMT_MDL_000002717 4 5 Walmart E-mail(s), Sullins 24 WMT_MDL_000007345 6 (Exhibits attached to the deposition.) 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 7</p> <p>1 VIDEOGRAPHER: We are now on 2 the record. 3 My name is Stephan Hoog. I'm 4 the videographer for Golkow Litigation 5 Services. 6 The date today is January 4, 7 2019. The time is 7:31 a.m., as 8 indicated on the video screen. 9 This video deposition is being 10 held in Chicago, Illinois, in the 11 matter of In Re: National Prescription 12 Opiate Litigation for the US District 13 Court, Northern District of Ohio. 14 The deponent is Ramona Sullins. 15 Will counsel please introduce 16 themselves for the video record. 17 MR. BOWER: Good morning. Zach 18 Bower, Carella Byrne, on behalf of 19 plaintiffs. 20 MR. GILFILLAN: David 21 Gilfillan, Carella Byrne, on behalf of 22 plaintiffs. 23 MR. COOPER: Kyle Cooper from 24 Tabet DiVito Rothstein on behalf of 25 McKesson Corporation.</p>
<p>1 Walmart E-mail(s), Sullins 22 WMT_MDL_000017434 - 2 WMT_MDL_000017435 3 Walmart E-mail(s), Sullins 23 WMT_MDL_000002717 4 5 Walmart E-mail(s), Sullins 24 WMT_MDL_000007345 6 (Exhibits attached to the deposition.) 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 8</p> <p>1 MR. MORRIS: Paul Morris from 2 Walmart legal department. 3 MS. CACERES: Joanne Caceres 4 from Jones Day on behalf of Walmart. 5 MS. FUMERTON: Tara Fumerton 6 from Jones Day on behalf of Walmart 7 and the witness. 8 VIDEOGRAPHER: The folks on the 9 phone? 10 MR. BUSHUR: Joseph Bushur of 11 Williams & Connolly on behalf of 12 Cardinal Health. 13 MS. NOWAK: Darlene Nowak, 14 Marcus & Shapira, on behalf of HBC 15 Services. 16 MR. WIENER: Seth Wiener of 17 Arnold & Porter Kay Scholer on behalf 18 of Endo Health Solutions, Inc., Endo 19 Pharmaceuticals, Inc., Par 20 Pharmaceutical, Inc., and Par 21 Pharmaceutical Companies, Inc. 22 VIDEOGRAPHER: The court 23 reporter today is Carrie Campbell. 24 Can you please swear in the 25 witness?</p> <p style="text-align: right;">Page 9</p> <p>1 RAMONA SULLINS, 2 of lawful age, having been first duly sworn 3 to tell the truth, the whole truth and 4 nothing but the truth, deposes and says on 5 behalf of the Plaintiffs, as follows: 6 7 VIDEOGRAPHER: Please proceed. 8 9 DIRECT EXAMINATION 10 QUESTIONS BY MR. BOWER: 11 Q. Good morning, Ms. Sullins. How 12 are you today? 13 A. Doing good, thank you. 14 Q. Have you ever given a 15 deposition before? 16 A. No. 17 Q. So I'm sure your attorney 18 informed you of kind of the ground rules for 19 today, but we'll go over a few of the 20 important ones, okay, and let me know if you 21 don't understand any. 22 Okay? 23 A. Okay. 24 Q. The first and probably most 25 important is just to let me finish my</p>

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1 questions and allow your attorney a chance to
2 object to any question before you answer.
3 Okay?
4 A. Okay.
5 Q. And also, I'd ask that if you
6 don't understand any question today, you ask
7 me to rephrase the question or let me know
8 that you don't understand before answering.
9 Do you understand that?
10 A. I do understand that.
11 Q. Okay. So if you do answer a
12 question, I will assume that you did
13 understand the question.
14 Okay?
15 A. Okay.
16 Q. And also, please, if the answer
17 calls for a yes or no, provide the answer
18 verbally without shaking your head or nodding
19 your head so the court reporter can take down
20 your answer.
21 Okay?
22 A. Okay.
23 Q. Is there any reason that you
24 cannot testify truthfully today?
25 A. No.

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1 Q. Are you taking any medication
2 that would prevent you from testifying
3 truthfully today?
4 A. No.
5 Q. Have you ever provided any
6 statements under oath on behalf of Walmart?
7 A. No.
8 Q. Never provided a declaration or
9 anything like that?
10 A. No.
11 Q. When did you first learn you
12 would be giving a deposition in this case?
13 A. I don't recall the actual date.
14 Q. Do you recall the approximate
15 date?
16 A. No. Whenever I got the -- the
17 notice in the e-mail.
18 Q. You got an e-mail from someone
19 at Walmart?
20 A. Yes.
21 Q. Okay. Who sent you that
22 e-mail?
23 A. I believe it was Carl.
24 Q. Okay. And how did you prepare
25 for today's deposition?

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1 A. I met with our counsel.
2 Q. Okay. When was the first time
3 you met with your counsel?
4 A. It was back in November when
5 the original deposition was scheduled.
6 Q. Okay. And when did that
7 meeting take place? Do you recall
8 approximately -- strike that.
9 A. Before -- before Thanksgiving.
10 Q. And your deposition in this
11 case was rescheduled, correct?
12 A. Correct.
13 Q. Okay. Do you recall
14 approximately how long before that initial
15 deposition was scheduled you first met with
16 counsel?
17 A. The one time I met with counsel
18 was in November.
19 Q. November.
20 About how many days before the
21 initial deposition was scheduled did that
22 meeting take place?
23 A. I don't recall. It might have
24 been a week.
25 Q. Okay. And approximately how

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1 long was that meeting?
2 A. About four hours.
3 Q. Had you scheduled an additional
4 meeting with counsel to prepare for that
5 initial deposition date?
6 MS. FUMERTON: Objection.
7 Form.
8 THE WITNESS: There was a
9 meeting scheduled for the deposition.
10 QUESTIONS BY MR. BOWER:
11 Q. What about anything else prior
12 to the deposition?
13 Was there a meeting that you
14 all had planned to have prior to the
15 deposition?
16 A. No, just the prep.
17 Q. When was that prep to occur?
18 A. The four hours.
19 Q. So that prep had already
20 occurred; is that correct?
21 A. That's correct.
22 Q. Okay. So you had not planned
23 to meet with your counsel the day before that
24 deposition; is that correct?
25 A. I believe there was. I don't

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1 recall.
2 Q. You believe there was a meeting
3 scheduled, but you're not sure?
4 A. That's correct.
5 Q. Okay. Since that initial
6 four-hour meeting, have you done anything
7 else to prepare for today's deposition?
8 A. Just met with them yesterday.
9 Q. Okay. And how long was that
10 meeting?
11 A. Approximately seven, eight
12 hours.
13 Q. And who did you meet with?
14 A. Tara.
15 Q. Anyone else?
16 A. Joanne was there. Paul was
17 there.
18 Q. Anyone else?
19 A. I don't know her name. I think
20 her name's Tina.
21 Q. Do you remember whether they
22 were counsel for Walmart or outside counsel?
23 A. They were part of Jones Day.
24 Q. Jones Day.
25 Was there anyone on the phone?

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1 A. I don't know anybody that
2 chimed in.
3 Q. Was there a phone call open?
4 A. There was.
5 Q. Okay. Do you know who was on,
6 listening in to that phone?
7 A. No, I don't.
8 Q. Do you know why there was a
9 phone open?
10 MS. FUMERTON: Objection to the
11 extent that you're starting to get
12 into conversations with counsel. But
13 to the extent she can answer
14 otherwise, that's fine.
15 THE WITNESS: To -- it was our
16 counsel, Walmart.
17 QUESTIONS BY MR. BOWER:
18 Q. There was in-house counsel from
19 Walmart on the phone?
20 A. Yes.
21 Q. That's your understanding?
22 A. That was my understanding.
23 Q. Okay. That meeting took place
24 in Chicago?
25 A. Yes. It happened yesterday.

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1 Q. Did you review documents during
2 that meeting?
3 A. We did.
4 Q. Did you review documents that
5 refreshed your recollection for the testimony
6 you will provide today?
7 A. No.
8 Q. What was the purpose of
9 reviewing documents?
10 MS. FUMERTON: Objection to the
11 extent that she has -- her
12 understanding from reviewing documents
13 is based on communications with
14 counsel, so I'll instruct her not to
15 answer that question unless she can
16 answer it without revealing
17 attorney-client communications.
18 QUESTIONS BY MR. BOWER:
19 Q. Can you answer the question?
20 A. No.
21 Q. Okay. Have you ever been asked
22 to provide counsel with documents for this
23 case?
24 A. Not that I recall.
25 Q. Has anyone asked you whether

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1 you have documents that might be relevant to
2 this case?
3 MS. FUMERTON: Again, I object
4 to the question to the extent that
5 you're asking her about questions --
6 communications with counsel, and I'm
7 going to instruct her not to answer
8 that question.
9 MR. BOWER: Well, that
10 question -- that question she can
11 answer. It's a yes or no question.
12 QUESTIONS BY MR. BOWER:
13 Q. The question is this: Have you
14 been asked to provide documents that may be
15 responsive to this case?
16 MS. FUMERTON: Well, you're
17 asking may be responsive to this case.
18 You're not getting to the
19 communications with counsel.
20 You should have asked, which I
21 think you already did, "Have you been
22 asked to produced documents in
23 connection with the case?" That's a
24 yes or no question, which she can
25 answer.

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1 THE WITNESS: No.
2 QUESTIONS BY MR. BOWER:
3 Q. Have you ever spoken with
4 anyone at Walmart about this case?
5 A. No.
6 MS. FUMERTON: Again, just give
7 me a second to object.
8 To the extent it's outside of
9 communications with counsel in
10 preparation for the deposition.
11 THE WITNESS: No.
12 QUESTIONS BY MR. BOWER:
13 Q. Okay. Are you aware of whether
14 other Walmart employees have given testimony
15 in this case?
16 A. Can you repeat the question?
17 MR. BOWER: Can you just read
18 it?
19 (Court Reporter read back
20 question.)
21 MS. FUMERTON: And again, I'm
22 going to object to the question to the
23 extent that you're asking about any
24 communications with counsel.
25 But to the extent that she has

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1 knowledge outside of those
2 communications, she can answer the
3 question.
4 THE WITNESS: No.
5 QUESTIONS BY MR. BOWER:
6 Q. Is your answer affected by
7 communications with counsel and your
8 counsel's instructions not to answer
9 concerning those communications?
10 MR. BOWER: It's a yes or no
11 question. She's allowed to answer
12 whether she had knowledge of other
13 folks giving testimony. That's not a
14 privileged correspondence. There's no
15 legal advice being provided.
16 So I'll ask it again.
17 QUESTIONS BY MR. BOWER:
18 Q. Are you aware of whether other
19 Walmart employees have provided testimony in
20 this case?
21 MS. FUMERTON: I disagree with
22 your assertion of the law. I object
23 to the question to the extent that it
24 would invade communications with
25 counsel.

Page 20

1 To the extent that she's, for
2 example, talked to other folks at
3 Walmart about whether or not they've
4 given deposition testimony, I think
5 that's fair game, but I do not agree
6 with you that you can ask her
7 questions about communications with
8 counsel.
9 Just because it's a yes or no
10 question does not mean that it does
11 not invade privilege.
12 But to the extent you can
13 answer the question outside of
14 communications with counsel, please go
15 ahead.
16 THE WITNESS: No.
17 QUESTIONS BY MR. BOWER:
18 Q. Well, I'll ask it more
19 directly. Did counsel tell you who's been
20 deposed in this case?
21 MS. FUMERTON: Again, I
22 instruct you not to answer that
23 question on the basis of
24 attorney-client privilege.
25

Page 21

1 QUESTIONS BY MR. BOWER:
2 Q. Are you going to follow those
3 instructions and not answer the question?
4 A. I'm going to follow the
5 instructions.
6 Q. Do you know whether the
7 documents you reviewed in preparation for
8 your deposition were produced in this case?
9 MS. FUMERTON: I -- to the
10 extent that you're asking about
11 specific documents that she reviewed
12 with counsel, I think it's
13 inappropriate for you to ask her to
14 identify those documents.
15 QUESTIONS BY MR. BOWER:
16 Q. I'm not asking -- just to be
17 clear, I'm not asking her to identify
18 document. I'm just asking whether you know
19 the documents that you acknowledge you
20 reviewed were produced to plaintiffs in this
21 case.
22 A. I have no idea.
23 Q. What is Jabber?
24 A. That's an in-house
25 communication.

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1 Q. And how often would you use it?
 2 A. Ten times daily? I don't -- I
 3 can't quantify that.
 4 Q. When did you -- when would it
 5 start -- strike that.
 6 Do you recall when
 7 approximately you started using Jabber to
 8 communicate with other Walmart employees?
 9 A. No.
 10 Q. Has it been available for
 11 communications your entire time at Walmart?
 12 A. No.
 13 Q. When did it start becoming
 14 available?
 15 A. I don't recall.
 16 Q. Do you recall approximately
 17 when?
 18 A. No, I don't recall
 19 approximately when.
 20 Q. Do you recall the year?
 21 A. No.
 22 Q. Why would you communicate via
 23 Jabber versus e-mail?
 24 A. If it was a quick question
 25 about work.

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1 Q. It was quicker than e-mail,
 2 correct?
 3 A. Yes.
 4 Q. More convenient, correct?
 5 A. Yes.
 6 Q. Okay. Are you aware of any
 7 Walmart policies and procedures regarding
 8 preserving communications on Jabber?
 9 A. No, I'm not aware of any.
 10 Q. What is your understanding as
 11 to whether those communications are preserved
 12 or maintained?
 13 MS. FUMERTON: Objection to
 14 form.
 15 THE WITNESS: I have no idea.
 16 QUESTIONS BY MR. BOWER:
 17 Q. Do you know whether they're
 18 deleted immediately?
 19 A. I don't know.
 20 Q. Have you spoken -- strike that.
 21 Have you used Jabber to
 22 communicate regarding Walmart's SOM program?
 23 A. Not that I'm aware of.
 24 Q. Never?
 25 A. I can't recollect that. I

Page 24

1 don't know.
 2 Q. Well, I'm just trying to
 3 understand what you -- what your answer is.
 4 Is it that you're not aware of
 5 any, you don't believe it happened, or that
 6 you simply don't recall?
 7 A. I simply don't recall.
 8 Q. Is it possible it could have
 9 happened?
 10 A. I can't recall.
 11 Q. Well, you testified a few
 12 minutes ago that you believe you used it
 13 daily, correct?
 14 A. Correct.
 15 Q. So why is it that you believe
 16 you may not have used it to communicate
 17 regarding Walmart's SOM program?
 18 A. Because the -- I mean,
 19 that's -- I don't know if I used it for that.
 20 I mean, I used it for something other than
 21 that. I know I used it for questions about
 22 the operation, operational questions.
 23 Q. Would those include questions
 24 about the operation of the Walmart SOM
 25 program?

Page 25

1 MS. FUMERTON: Objection to
 2 form.
 3 THE WITNESS: I don't recall.
 4 QUESTIONS BY MR. BOWER:
 5 Q. It could have happened; you
 6 just don't recall. Is that correct?
 7 A. I don't recall.
 8 Q. When you say -- I just want the
 9 record to be clear. When you say you don't
 10 recall, are you saying you don't recall it
 11 ever happening, or are you saying I don't
 12 recall whether it happened or not?
 13 MS. FUMERTON: Objection to
 14 form.
 15 THE WITNESS: I don't recall
 16 whether it happened or not.
 17 QUESTIONS BY MR. BOWER:
 18 Q. Okay. What would you use
 19 Jabber to communicate about on a daily basis?
 20 MS. FUMERTON: Objection.
 21 Form.
 22 THE WITNESS: Questions about
 23 the operation or, hey, can you attend
 24 this meeting, I'm on another call,
 25 stuff like that.

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1 QUESTIONS BY MR. BOWER:
2 Q. Anything else that you can
3 recall today?
4 A. No.
5 Q. Who would you communicate --
6 strike that.
7 With who would you communicate
8 on Jabber?
9 A. Multiple people in Walmart.
10 Q. Okay. Can you provide us the
11 names of those folks?
12 MS. FUMERTON: Objection.
13 Form.
14 THE WITNESS: Some were team
15 members. Some were in replenishment.
16 Different -- just different groups
17 that I would communicate with.
18 QUESTIONS BY MR. BOWER:
19 Q. Do you recall their names as
20 you sit here today?
21 A. Yeah. Theresa Alford, Shawn
22 Robinson. Then there was Flynn. I don't
23 recall his last name. He was in ISD. I
24 mean, there was -- there was quite a bit of
25 people that I would communicate.

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1 Q. Other than Theresa, Shawn and
2 Flynn, anyone that you can recall as you sit
3 here today?
4 A. Jonathan Leonard. I can't
5 think of all of them.
6 Q. Kristy Spruell?
7 A. She's not there. I don't know
8 if Jabber was available when she was there.
9 Q. Jimmie Sherl?
10 A. Again, he's no longer with the
11 company, and I don't know if he was there
12 when Jabber was -- existed.
13 Q. Well, I thought you testified
14 before you weren't sure of when Jabber
15 existed, so does -- are you now recalling
16 when it was available?
17 A. No.
18 MS. FUMERTON: Objection.
19 Objection. Form.
20 QUESTIONS BY MR. BOWER:
21 Q. All right. So just -- when you
22 say you don't believe that it was available
23 when, for example, Ms. Spruell was there,
24 what do you mean by that?
25 A. I don't -- I don't know if it

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1 was available when she was there.
2 Q. When was she there?
3 A. I don't recall the actual time.
4 I don't recall when she left.
5 Q. Okay. So you don't recall when
6 she was there, and you also don't recall when
7 Jabber was available, but your testimony
8 today is that you don't believe she was
9 available when Jabber was also available; is
10 that correct?
11 MS. FUMERTON: Objection.
12 Form.
13 THE WITNESS: No, what I'm
14 saying is I don't know when she was
15 there, what time frame she was there,
16 and I don't know if Jabber existed.
17 QUESTIONS BY MR. BOWER:
18 Q. When did you first begin
19 working at Walmart?
20 A. 1988.
21 Q. Can you briefly describe for us
22 your educational background after high
23 school?
24 A. I took a couple of non-credited
25 courses.

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1 Q. When did you graduate high
2 school?
3 A. 1987.
4 Q. So you went to work for Walmart
5 after graduating high school; is that
6 correct?
7 A. Correct.
8 Q. What was your first job at
9 Walmart?
10 A. I was an order filler.
11 Q. And where was -- where were you
12 located at that time?
13 A. Plainview, Texas.
14 Q. And how long did you -- strike
15 that.
16 What was your next job at
17 Walmart after an order filler?
18 A. I loaded trailers.
19 Q. What do you mean by "loaded
20 trailers"?
21 A. I physically loaded
22 televisions, dog food, paint, into a trailer,
23 floor-loaded it.
24 Q. Was that at a Walmart
25 distribution center?

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1 A. Yes.
2 Q. Which distribution center was
3 that?
4 A. 6012.
5 Q. And where is that distribution
6 center located?
7 A. Plainview, Texas.
8 Q. And just briefly can you
9 describe what you did as an order filler?
10 A. I filled orders for the store.
11 Q. What do you mean by you "filled
12 orders for the store"?
13 Can you describe that with more
14 specificity?
15 A. So I filled like makeup, yarn,
16 tools; placed those in a box and shipped
17 them.
18 Q. Were those online orders?
19 A. No.
20 Q. Where were the orders coming
21 from?
22 A. The stores that were aligned to
23 that distribution center.
24 Q. Okay. So you're also -- the
25 role you described of filling orders was also

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1 at the distribution center; is that correct?
2 A. That's correct.
3 Q. Okay. And then what was the
4 next position you held at Walmart?
5 A. I went into quality assurance.
6 Q. Okay. And approximately what
7 time period was that?
8 A. 1990.
9 Q. And where were you located at
10 that time?
11 A. Plainview, Texas.
12 Q. And how long did you hold that
13 role in quality assurance?
14 A. I don't recall how long I held
15 the role.
16 Q. Approximately how long?
17 A. Maybe two years.
18 Q. And just generally speaking,
19 what were your duties and responsibilities in
20 quality assurance?
21 A. Inventory control, cycling the
22 inventory, problem solving with freight that
23 didn't have a home. Mostly just inventory
24 related.
25 Q. And were there any specific

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1 products or areas of the business you were
2 responsible for?
3 A. Not -- not at that time.
4 Q. Was this at the same DC?
5 A. Yes.
6 Q. Who did you report to at this
7 time?
8 A. I don't recall.
9 Q. And you held that role for
10 approximately two years, until approximately
11 1992?
12 A. Yes.
13 Q. What was your next role at
14 Walmart?
15 A. I was a supervisor.
16 Q. What did you supervise?
17 A. The associates in the order
18 filling area.
19 Q. How long did you hold that
20 role?
21 A. Until approximately 1995.
22 Q. And then what role did you take
23 on in 1995?
24 A. I was a manager trainee.
25 Q. And what does that mean?

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1 A. I was in the processes of
2 learning how to run a department.
3 Q. Does Walmart have specific
4 training for its prospective managers?
5 A. It did at that time.
6 Q. And you were chosen to
7 participate in that training, correct?
8 A. Correct.
9 Q. That was in 1995,
10 approximately?
11 A. Approximately.
12 Q. And where did that training
13 take place?
14 A. Palestine, Texas.
15 Q. And what type of training
16 occurred?
17 A. Leadership training.
18 Q. Anything else?
19 A. Manpower, forecasting,
20 administrative.
21 Q. What do you mean when you
22 say -- strike that.
23 Can you describe what
24 leadership training is?
25 A. So it would have been like how

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1 do you handle, you know, your interviewing
2 skills; how do you, you know, write different
3 disciplinary things. I'm trying to think
4 what else was in there.
5 Q. And I realize this is going
6 back a ways. I'm just trying to get a
7 general sense of what you were --
8 A. That was --
9 Q. That's fine.
10 And then do you have any
11 recollection with respect to what kind of the
12 other areas were, the manpower, forecasting,
13 administrative, what just generally those
14 involved?
15 A. Just knowing how to read the --
16 the associates' attendance, how to forecast,
17 you know, based on the volume coming in, how
18 many people do you need, how long is it going
19 to take to do the work. That was the
20 manpower forecasting.
21 Q. And how long did the training
22 last?
23 A. I believe it was -- I want to
24 say six weeks. I don't recall how long the
25 training was.

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1 Q. Okay. And then after you
2 received this training, did you take a
3 different position at Walmart?
4 A. Then I had an area to run.
5 Q. Okay. And what area was that?
6 A. The marking room.
7 Q. Can you describe what the
8 marking room is?
9 A. So it was when goods came in to
10 Walmart, they weren't ticketed, so we would
11 ticket those -- that merchandise, and the
12 majority of it was apparel and shoes.
13 Q. And what do you mean by
14 "ticketed"?
15 A. Showed the price tags on them.
16 Q. Was this position also at the
17 DC?
18 A. Yes.
19 Q. And these were products that
20 were sold to Walmart by manufacturers or
21 suppliers?
22 A. Yes.
23 Q. And how long did you have that
24 role?
25 A. Maybe a year.

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1 Q. So until approximately 1996 at
2 some point you switched again?
3 A. Yes.
4 Q. Okay. What was your next role?
5 A. I was a QA manager. QA,
6 quality assurance.
7 Q. Can you just describe for us
8 very briefly what that means?
9 A. So it's the inventory, so on
10 the -- you would have responsibility for all
11 the inventory and the associates that
12 reported up through that process.
13 Q. How long did you have that
14 role, approximately?
15 A. Maybe about six or seven
16 months.
17 Q. And then you switched again; is
18 that correct?
19 A. I moved.
20 Q. Oh, you moved where you lived;
21 is that --
22 A. Yes.
23 Q. And where did you move?
24 A. To Loveland, Colorado.
25 Q. Did you continue to work for

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1 Walmart in Loveland, Colorado?
2 A. Yes.
3 Q. Okay. What did you do there?
4 A. I'm sorry?
5 Q. What did you do in Loveland?
6 I'm sorry.
7 A. So I was an area manager as
8 well.
9 Q. And how long did you have that
10 role in Loveland, approximately?
11 A. I lived in -- so I got there in
12 May of '96, and I left in April of '97.
13 Q. You left Loveland in April
14 of '97; is that correct?
15 A. That's correct.
16 Q. Okay. And where did you go at
17 that point?
18 A. I went to Hope Mills, North
19 Carolina.
20 Q. Was that move a result of a
21 change in Walmart jobs?
22 A. No. It was distribution as
23 well.
24 Q. Okay. That move was for
25 personal reasons not related to your

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1 employment at Walmart; is that correct?
2 A. That's correct.
3 Q. So now you're in North
4 Carolina, still working for Walmart on the
5 distribution side, correct?
6 A. Correct.
7 Q. Was that also a distribution
8 center in North Carolina?
9 A. Yes.
10 Q. And are you still a manager, an
11 area manager, there?
12 A. Yes.
13 Q. Okay. And what was the next
14 role you had at Walmart?
15 A. So then I transferred back to
16 Plainview, Texas, in October of '97, and I
17 had an area manager position there as well.
18 Q. And then how long did you hold
19 that position back in Texas?
20 A. Until 2004.
21 Q. And what change occurred in
22 2004?
23 A. I moved to Bentonville,
24 Arkansas.
25 Q. And then what position did

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1 you -- strike that.
2 Did you change positions at
3 that point?
4 A. I did.
5 Q. Okay. And what was your new
6 position?
7 A. I worked in merchandise
8 support.
9 Q. Is that at a DC in Bentonville?
10 A. No, that was in the home
11 office. That was in the logistics building.
12 Q. And can you just describe
13 generally what your duties and
14 responsibilities were for that role in
15 merchandise support?
16 A. So I had responsibility for all
17 of the apparel and shoes and the flow of
18 those -- that product from supplier to
19 distribution center.
20 Q. And is that for all of the
21 Walmar's in the world?
22 A. In all the US apparel DCs.
23 Q. So you were responsible for
24 getting the apparel to the DCs; is that
25 correct?

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1 A. I worked with -- I was a
2 liaison between merchandising and logistics.
3 Q. And what sort of things would
4 you do on a day-to-day basis?
5 A. I would meet with the buyers to
6 find out when they were flowing product into
7 the distribution centers and determine when
8 those were going to hit. Because with
9 apparel it's seasonal, so there was four
10 seasons that you had to flow through; so you
11 have, you know, the winter season, you -- it
12 was a certain specific time frame. If there
13 was inventory left in the distribution
14 center, that you partnered with them to try
15 to flow that into the stores.
16 Q. During this time period, was
17 there a database or any other electronic
18 system that Walmart used to manage its
19 inventory?
20 MS. FUMERTON: Objection.
21 Form.
22 QUESTIONS BY MR. BOWER:
23 Q. I'll strike that.
24 How did Walmart manage its
25 inventory in 2004?

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1 MS. FUMERTON: Objection.
2 Form.
3 THE WITNESS: So it was through
4 their host mainframe system.
5 QUESTIONS BY MR. BOWER:
6 Q. So did you say host mainframe
7 or closed mainframe?
8 A. Host.
9 Q. Does that system go by any
10 other name?
11 A. I -- I don't -- I don't know.
12 Q. Did you receive at that point
13 any -- or strike that.
14 At any point did you receive
15 specific training with respect to merchandise
16 inventory management?
17 A. I did.
18 Q. Okay. When was that?
19 A. When I came in 2004.
20 Q. Did that training occur in
21 Bentonville?
22 A. Yes.
23 Q. And how long did you hold that
24 position?
25 A. Till 2008.

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1 Q. And then what was the change in
2 2008?
3 A. I moved over to the pharmacy.
4 Q. And what was your title in
5 2008?
6 A. I was senior manager on the
7 pharmacy team.
8 Q. Was that your title in 2008,
9 senior manager in the pharmacy team?
10 A. I don't know what it said.
11 Q. What were your duties and
12 responsibilities in connection with that
13 role?
14 A. So I had responsibility to
15 bring in a system because they were filling
16 orders with pen and paper, and just
17 day-to-day operational questions that would
18 come up.
19 Q. Were you assigned -- strike
20 that.
21 Was that position at the home
22 office?
23 A. Yes, but it was still under
24 logistics.
25 Q. What do you mean by that, by

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1 the statement that it was still under
2 logistics?
3 A. It is under the division of
4 logistics.
5 Q. Was that division at the home
6 office?
7 A. Yes.
8 Q. When you say that you were --
9 one of your duties was to bring in a system
10 because they were currently filling orders
11 with pen and paper, what do you mean by that?
12 A. So they would get a document
13 for orders, and they would go fill those
14 store orders based on the paper document.
15 Q. So who would get the document?
16 A. So the distribution center
17 would, and they would pass those documents
18 out to the order fillers.
19 Q. At that point in 2008, had you
20 received any training specific to pharmacy?
21 A. I did. I went to the
22 distribution centers.
23 Q. So at some point in or about
24 2008 you traveled to the distribution
25 centers; is that correct?

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1 A. That's correct.
2 Q. And the purpose of that travel
3 was to learn about the ordering and the
4 filling of those orders for pharmacy
5 products; is that correct?
6 MS. FUMERTON: Objection.
7 Form.
8 QUESTIONS BY MR. BOWER:
9 Q. Well, strike that.
10 What was the purpose of your
11 visits to the distribution centers?
12 A. To learn how they were filling
13 orders, how we could take their process and
14 make it into a -- to bring in a system that
15 could help with that process.
16 Q. And at that point how many
17 distribution centers were filling orders for
18 pharmacies?
19 A. Six.
20 Q. And at that time, how many
21 distribution centers were filling orders for
22 prescription II products? Strike that.
23 At that time, how many
24 distribution centers were filling orders for
25 Schedule II products?

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1 A. One distribution center.
2 Q. And what center is that?
3 A. 6045.
4 Q. And what about for Schedule III
5 products?
6 A. The other five distribution
7 centers.
8 Q. Do you recall at that time
9 which other distribution centers were
10 distributing hydrocodone?
11 A. That would have been the five
12 distribution centers.
13 Q. And this is around 2008,
14 correct?
15 A. That's correct.
16 Q. Okay. During this time period,
17 did you receive any training regarding
18 Walmart's obligations to monitor orders for
19 Schedule II products?
20 A. It was part of the training
21 that I sat through with -- at the
22 distribution center. I don't recall
23 specifically what was -- what we talked
24 about.
25 Q. Well, do you recall generally

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1 what Walmart's obligations were at that time?
2 MS. FUMERTON: Objection.
3 Form.
4 QUESTIONS BY MR. BOWER:
5 Q. Strike that.
6 Do you recall generally what
7 Walmart's obligations were at that time
8 regarding monitoring of orders for
9 Schedule II narcotics?
10 A. No, I don't.
11 Q. At some point did you become
12 aware of Walmart's obligations to monitor
13 orders for Schedule II narcotics?
14 A. I did.
15 Q. And when did you become aware
16 of that?
17 A. I don't recall the year.
18 Q. Do you recall approximately
19 when?
20 A. No.
21 Q. Do you recall how you became
22 aware of Walmart's obligations to monitor
23 orders for Schedule II narcotics?
24 A. No. No, not -- no.
25 Q. So I just want to make sure

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1 that the record is clear. So you don't
2 recall either how you became aware or when
3 you became aware of Walmart's obligations to
4 monitor orders of Schedule II narcotics; is
5 that correct?
6 MS. FUMERTON: Objection.
7 Form.
8 THE WITNESS: I don't recall.
9 QUESTIONS BY MR. BOWER:
10 Q. And what about Walmart's
11 obligations to monitor orders of Schedule III
12 narcotics, do you know whether they have any
13 such obligations?
14 MS. FUMERTON: Objection.
15 Form.
16 QUESTIONS BY MR. BOWER:
17 Q. I'll strike that.
18 Do you know whether Walmart has
19 any obligations to monitor orders of
20 Schedule III narcotics?
21 MS. FUMERTON: Objection.
22 Form.
23 THE WITNESS: Ask the question
24 again.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. Sure.
3 Do you know whether Walmart, as
4 a distributor, has any obligations to monitor
5 orders placed by its pharmacies for
6 Schedule III narcotics?
7 MS. FUMERTON: Objection.
8 Form.
9 Can we get a time period?
10 MR. BOWER: At any point.
11 MS. FUMERTON: Okay.
12 MR. BOWER: Just a question.
13 MS. FUMERTON: It's a question
14 with a false premise, though. That's
15 the problem. You're talking about as
16 a distributor, and as you know,
17 Walmart no longer distributes
18 controlled substances.
19 MR. BOWER: Okay.
20 QUESTIONS BY MR. BOWER:
21 Q. Do you know whether Walmart --
22 MS. FUMERTON: You said
23 "Walmart, as a distributor." That's
24 why I'm asking, why the question is
25 flawed.

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1 MR. BOWER: Okay. I'll
2 rephrase the question. I think you
3 understood it, but I'll rephrase.
4 QUESTIONS BY MR. BOWER:
5 Q. Do you know whether Walmart at
6 any point had any obligation to monitor
7 orders for Schedule II narcotics that were
8 placed by its pharmacy to its distribution
9 centers?
10 A. Yes.
11 Q. Okay. What is your
12 understanding of those obligations?
13 A. I don't have an understanding
14 of it. I know that there was policies or
15 procedures related to that. That wasn't part
16 of my responsibility.
17 Q. Has it ever been part of your
18 responsibility?
19 A. No. No.
20 Q. Have you ever had any role
21 since you started working at Walmart in
22 connection with Walmart's suspicious order
23 monitoring program?
24 MS. FUMERTON: Objection.
25 Form.

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1 THE WITNESS: I was part of the
2 rollout of that system.
3 QUESTIONS BY MR. BOWER:
4 Q. And when did that occur?
5 A. I don't recall.
6 Q. Approximately?
7 A. The Reddwerks threshold, I
8 believe, was 2010, 2011.
9 Q. And we'll look at some
10 documents in a bit. Maybe that'll help you
11 refresh your recollection. I'm just trying
12 to get a general sense of when you say
13 "rollout of that system," are you referring
14 to the over 20 reports or something else?
15 A. No, that would have -- I don't
16 know if that was during the same time.
17 Q. Okay. So when you say "rollout
18 of that system," what system are you
19 referring to?
20 A. The thresholds.
21 Q. What do you mean by --
22 A. Order alert.
23 Q. What do you mean by thresholds?
24 Order alerts?
25 A. That's what the project was

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1 called.
2 Q. What project are you referring
3 to?
4 A. So the rollout of Reddwerks
5 order alert.
6 Q. And you believe that occurred
7 sometime in 2010; is that correct?
8 A. '10 or '11. I don't recall.
9 Q. Before that rollout occurred,
10 did Walmart have a monitoring program in
11 place?
12 A. Yes.
13 Q. And what was that program?
14 A. I believe it was a 405 report,
15 and they monitored orders as they came in.
16 Q. Okay. And what do you mean
17 by -- when you say "they monitored orders as
18 they came in," what does that mean?
19 A. So the distribution center did
20 and the associates did.
21 Q. Are the associates at the
22 distribution center?
23 A. Yes.
24 Q. Okay. Anyone other than the
25 associates at the distribution center that

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1 would monitor orders?
2 MS. FUMERTON: Objection.
3 Form.
4 QUESTIONS BY MR. BOWER:
5 Q. And I'm just trying -- just so
6 the record is clear, I'm just trying to
7 understand your answer.
8 You said "the distribution
9 center did and the associates did." Are
10 those two different things in your mind?
11 A. They're all at the distribution
12 center.
13 Q. And what were the associates
14 doing prior to the rollout of Reddwerks?
15 A. So my understanding is that
16 they would -- they would let their manager
17 know if they saw an order that was out of the
18 ordinary.
19 Q. What do you mean by "out of the
20 ordinary"?
21 A. Like, for example, ReliOn
22 insulin, we had orders that would -- where
23 the pharmacy would think that they were
24 ordering ten vials of insulin, and they
25 actually ordered a hundred of them because

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1 they were in packs of ten. So those would be
2 examples of what they would bring to their
3 attention.
4 Q. And in fact, Walmart had an
5 automatic cut for those instant orders,
6 correct?
7 MS. FUMERTON: Objection.
8 Form.
9 Go ahead.
10 THE WITNESS: For the what now?
11 QUESTIONS BY MR. BOWER:
12 Q. For those insulin orders that
13 you just -- the example that you just
14 provided, Walmart actually had an automatic
15 cut for those orders, didn't they?
16 MS. FUMERTON: Objection.
17 Form.
18 THE WITNESS: It was a manual
19 cut; it wasn't automatic.
20 QUESTIONS BY MR. BOWER:
21 Q. A manual cut that was
22 automatically applied to insulin orders,
23 correct?
24 MS. FUMERTON: Objection.
25 Form.

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1 THE WITNESS: They would call
2 the store to inform them that they had
3 placed -- if they really wanted a
4 hundred because, I mean, the
5 refrigerator didn't hold a hundred.
6 QUESTIONS BY MR. BOWER:
7 Q. Right.
8 And that was specific to
9 insulin, correct?
10 A. That's correct.
11 Q. Okay. What about with respect
12 to Schedule II narcotics, what were the DCs
13 doing in 2008?
14 MS. FUMERTON: Objection.
15 Form.
16 THE WITNESS: My understanding
17 is they would do the same thing with
18 that.
19 QUESTIONS BY MR. BOWER:
20 Q. And where does that
21 understanding come from?
22 A. Just from when I was training
23 in 2008, when I was out at the DCs training.
24 Q. Okay. So what specifically did
25 you learn in connection with your training

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1 that the DCs were doing for Schedule II
2 narcotics?
3 MS. FUMERTON: Objection.
4 Form.
5 THE WITNESS: So again, they
6 would look at that paper and let their
7 supervisor or manager know that this
8 appears to be out of the ordinary or
9 unusual.
10 QUESTIONS BY MR. BOWER:
11 Q. And at that point -- and we're
12 talking 2008, correct?
13 A. Yes.
14 Q. At that point, how was DC 6045
15 receiving orders? They were paper, correct?
16 A. So those would come in
17 electronically. They're printed on paper.
18 Q. They would come in
19 electronically once a day?
20 A. That's correct.
21 Q. And then they would print it on
22 paper at the DC?
23 A. That's correct.
24 Q. And then what would happen to
25 those papers?

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1 A. Well, first they would print
2 the 222 form, sign those, and then that and
3 the paper order would be put together in a
4 packet, and the associates would fill orders
5 based on that paper order.
6 Q. And was it the practice for the
7 orders to be filled and shipped the same day
8 they came in?
9 A. Yes.
10 Q. And approximately how many
11 orders came in to DC 6045 on a daily basis
12 during this time period?
13 A. I don't recall how many orders
14 came in.
15 Q. Would it have been in the
16 hundreds of orders? Could it have been in
17 the hundreds of orders per day?
18 A. Well, they filled store
19 order -- store only got an order once a week
20 of C-IIs. So if you divide it up, however
21 many stores we had at the time, that's how
22 many orders they would -- processed, four
23 days a week.
24 Q. That's fine.
25 You said four days a week?

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1 A. Yes.
2 Q. So, for example, if there were
3 4,000 stores, approximately a thousand orders
4 a day, correct?
5 A. Potentially.
6 Q. And just so the record's clear,
7 you mentioned a couple reports. I just want
8 to go through just what those reports are.
9 What is a 222?
10 A. It's a DEA 222 form to move
11 C-II drugs.
12 Q. Okay. And what is a 405
13 report?
14 A. So it was a report that the
15 distribution used. I don't know what they --
16 I don't know what all it had on there. I
17 know that they used it.
18 Q. And how do you know that they
19 used it?
20 A. Because when it didn't generate
21 one month, they pinged me to help them get it
22 generated.
23 Q. Do you know why they pinged you
24 to help get them generated?
25 A. Because of the systems

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1 background that I had.
2 Q. And what systems backgrounds do
3 you have?
4 A. It was mainly knowing how the
5 orders would come in, some of the jobs that
6 were run for certain reports. So I would
7 partner with maybe my -- I had contacts over
8 in the IT department, so they would ask me to
9 ping somebody over in IT to let them know
10 that a report didn't run.
11 Q. And I just want to put a time
12 frame on that answer.
13 What time frame would you ping
14 folks in IT to run a report?
15 MS. FUMERTON: Objection.
16 Form.
17 THE WITNESS: That happened to
18 be one incident. I don't know when it
19 occurred.
20 QUESTIONS BY MR. BOWER:
21 Q. Okay. Other than the 405
22 reports and the DC associates reviewing the
23 orders, prior to the role of Reddwerks, was
24 Walmart doing anything else to review orders
25 for Schedule II narcotics?

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1 MS. FUMERTON: Objection.
2 Form.
3 THE WITNESS: I don't know.
4 QUESTIONS BY MR. BOWER:
5 Q. Anything else that you're aware
6 of that was being done?
7 MS. FUMERTON: Objection.
8 Form.
9 THE WITNESS: I don't know.
10 QUESTIONS BY MR. BOWER:
11 Q. Well, you visited DC 6045 in
12 2008, correct?
13 A. I did.
14 Q. Okay. At that point did you
15 see anything else being done in connection
16 with reviewing orders placed by the
17 pharmacies for Schedule II narcotics?
18 MS. FUMERTON: Objection.
19 Form.
20 THE WITNESS: Not that I
21 recall.
22 QUESTIONS BY MR. BOWER:
23 Q. Okay. And did someone at DC
24 6045 tell you that they would have the
25 associates review the orders on a daily

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1 basis?
2 A. That was part of the training
3 that -- when I was learning how to -- they
4 filled orders. They told me and so did the
5 associates.
6 Q. Okay. So who told you that?
7 A. I don't recall the manager that
8 would have said it.
9 Q. Was it the manager at 6045 or
10 your manager for the training?
11 A. No, it was the managers that
12 were supervisors at 6045.
13 Q. Mike Mullin?
14 A. He was a general manager. I
15 don't know.
16 Q. Okay. Do you know who had
17 responsibility at 6045 for making sure the
18 associates would review the orders for
19 Schedule II narcotics?
20 A. I don't know.
21 Q. Are you aware of any instance
22 where the associates flagged an order for
23 Schedule II narcotics as potentially
24 suspicious?
25 MS. FUMERTON: Objection.

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1 Form.
2 THE WITNESS: I don't know.
3 QUESTIONS BY MR. BOWER:
4 Q. Was that part of your training?
5 A. I spent a day there. I --
6 doing the order filling process. That day we
7 didn't. I don't know of anything else that
8 would have been done.
9 Q. What about since that day?
10 MS. FUMERTON: Objection.
11 Form.
12 THE WITNESS: I don't know. It
13 wouldn't have been anything that would
14 have come to me.
15 QUESTIONS BY MR. BOWER:
16 Q. So in 2008 you're tagged with
17 responsibility to bring in a system to kind
18 of move beyond this printout and paper
19 system, correct?
20 A. Correct.
21 Q. Okay. And what did you do in
22 connection with those responsibilities?
23 A. I looked at multiple order
24 filling vendors. I brought those vendors to
25 my boss at the time, and then they made a

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1 decision on which vendor to go with.
 2 Q. And who was your boss at the
 3 time?
 4 A. So in 2008 it was Molly Mason.
 5 Q. And which vendor did you end up
 6 going with?
 7 A. Reddwerks.
 8 Q. And do you recall why you chose
 9 Reddwerks?
 10 A. They had -- they were the only
 11 vendor that had a continuous light.
 12 Q. And what do you mean by a
 13 continuous light?
 14 A. So the bar in front of the
 15 product, it was all lights versus just one
 16 light.
 17 Q. And was that something that was
 18 important to Walmart?
 19 A. It was important, yes.
 20 Q. And why is that?
 21 A. So that you wouldn't have to
 22 have openings if the product -- for that
 23 location, the size changed, you wouldn't have
 24 to go get maintenance to cut you another
 25 plate to move the light over. So then you

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1 could dedicate light space for that product,
 2 and if that product moved somewhere else in a
 3 different bay, then -- running a smaller
 4 product, then you didn't have to, again, cut
 5 the plate and change the backing of it.
 6 Q. Did Walmart's decision to go
 7 with Reddwerks impact the ordering process
 8 for Schedule II narcotics?
 9 MS. FUMERTON: Objection.
 10 Form.
 11 THE WITNESS: No.
 12 QUESTIONS BY MR. BOWER:
 13 Q. Those orders still came in to
 14 6045, correct?
 15 A. Correct.
 16 Q. They were still printed out on
 17 paper on a daily basis?
 18 A. They printed the 222 form.
 19 Q. Okay. Well, let's go back then
 20 to before you went with Reddwerks.
 21 A. Uh-huh.
 22 Q. How was Walmart filling orders
 23 for Schedule II products at 6045?
 24 MS. FUMERTON: Objection.
 25 Form.

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1 MR. BOWER: What's the nature
 2 of that objection?
 3 MS. FUMERTON: It's an
 4 incredibly broad and vague question.
 5 QUESTIONS BY MR. BOWER:
 6 Q. Okay. You can answer.
 7 A. So in 2008, they printed the
 8 222 forms, and they printed the paper orders.
 9 Q. And what would they do with
 10 those paper orders that they printed?
 11 A. They would fill the order from
 12 the paper.
 13 Q. Did that process change after
 14 Walmart adopted the Reddwerks system?
 15 A. The -- I don't know how to
 16 answer that because it's -- the fill process
 17 still was the same. I was still getting
 18 order at the DC. I'd still sign my 222,
 19 just -- I don't print paper. It goes to a
 20 light.
 21 Q. Okay. You mentioned the light
 22 term a couple times.
 23 What do you mean by "light"?
 24 It may not be familiar to some
 25 of us that aren't in the industry.

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1 A. So it truly is a bar of lights,
 2 and the light will light up with the quantity
 3 that you need to pick for that product.
 4 Q. So there's an associate
 5 assigned to each product; is that correct?
 6 A. There's an associate
 7 assigned...
 8 MS. FUMERTON: Go ahead.
 9 Sorry. I was going to give an
 10 objection. Go ahead.
 11 THE WITNESS: There's an
 12 associate assigned multiple products.
 13 QUESTIONS BY MR. BOWER:
 14 Q. And the light informs the
 15 associate of how much of that product is
 16 necessary for a particular order; is that
 17 correct?
 18 A. That's correct.
 19 Q. And how does the light do that?
 20 A. It's the same thing that went
 21 to the paper that goes to the light.
 22 Q. Is the light a screen?
 23 A. Is the light a screen?
 24 Q. Yeah.
 25 How does the light convey that

<p style="text-align: right;">Page 66</p> <p>1 information to an associate? Is it a number 2 on a screen? Is it -- 3 A. Yes, it's a number on a screen. 4 Q. And does that number on the 5 screen reflect a product number? 6 MS. FUMERTON: Objection. 7 Form. 8 QUESTIONS BY MR. BOWER: 9 Q. All right. I'll strike that. 10 The associate's assigned more 11 than one product, correct? 12 A. Correct. 13 Q. How does the associate know how 14 many of each product to fill? 15 A. There's just -- the light in 16 front of that product tells them. So there's 17 a screen there that says "pick one" or 18 whatever. 19 Q. Okay. And that process applied 20 to order filling at 6045 for Schedule II 21 products; is that correct? 22 A. It occurred for all buildings. 23 Q. And when was that process 24 implemented at 6045? 25 A. I don't know exactly when it</p>	<p style="text-align: right;">Page 68</p> <p>1 manager for the pharmacy team. 2 How long did you hold that 3 position? 4 A. That's what I currently do. 5 Q. You still have that -- what's 6 your current title? 7 A. Senior manager, department 8 supply chain. We just changed it from 9 logistics to supply chain. 10 MR. BOWER: It might take a 11 little longer to go through subsequent 12 duties and responsibilities, so why 13 don't we take a break and we can 14 finish up after. 15 MS. FUMERTON: Okay. 16 VIDEOGRAPHER: Going off the 17 record at 8:33 a.m. 18 (Off the record at 8:33 a.m.) 19 VIDEOGRAPHER: We're back on 20 the record at 8:47 a.m. 21 QUESTIONS BY MR. BOWER: 22 Q. Okay. I just want to finish 23 up, hopefully fairly briefly, your roles at 24 Walmart. 25 So from 2008 to the present,</p>
<p style="text-align: right;">Page 67</p> <p>1 was implemented in 6045, but we started the 2 project in 2009. 3 Q. Do you know whether the 4 implementation of Reddwerks impacted 5 Walmart's suspicious order monitoring program 6 at all? 7 MS. FUMERTON: Objection. 8 Form. 9 THE WITNESS: I have no idea. 10 QUESTIONS BY MR. BOWER: 11 Q. You don't know one way or the 12 other, correct? 13 A. I have no idea. 14 MS. FUMERTON: Zach, we've been 15 going for about an hour. Would it be 16 okay -- 17 MR. BOWER: Can we just have a 18 few minutes just to round out her 19 employment history and then we'll -- 20 MS. FUMERTON: Sure. 21 MR. BOWER: I just wanted -- so 22 we can switch topics after the break. 23 QUESTIONS BY MR. BOWER: 24 Q. So you held this position 25 beginning in 2008 where you were senior</p>	<p style="text-align: right;">Page 69</p> <p>1 you've had the same title, essentially; is 2 that correct? 3 A. That's correct. 4 Q. Okay. Other than the system 5 implementation of Reddwerks that we've 6 discussed, what have your other duties and 7 responsibilities been since 2008 in that 8 title? 9 A. So it's mostly been systems, 10 system enhancements, the rollout of CSOS, 11 some other day-to-day stuff that comes up. 12 Q. Other than the rollout of CSOS, 13 which stands for controlled substance 14 ordering system -- is that correct? 15 A. That's correct. 16 Q. What other systems enhancements 17 did you work on? 18 A. So we did the order level 19 alerts for Reddwerks. And then we did an 20 enhancement to that later on. 21 Q. And do you have any 22 understanding as to why Walmart imposed an 23 order level alert for Reddwerks? 24 MS. FUMERTON: Objection. 25 Form.</p>

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1 QUESTIONS BY MR. BOWER:
2 Q. Well, strike that.
3 You said you did -- in your
4 words, you did the order level work for
5 Reddwerks.
6 What is that?
7 A. So that was the threshold
8 process that was put in.
9 Q. Do you have any understanding
10 as to why that was put in?
11 MS. FUMERTON: Objection.
12 Form.
13 Go ahead.
14 THE WITNESS: No, just -- I was
15 just asked to run the project.
16 QUESTIONS BY MR. BOWER:
17 Q. As you sit here today, you have
18 no recollection as to why this project was
19 needed; is that correct?
20 MS. FUMERTON: Objection.
21 Form.
22 THE WITNESS: That's correct.
23 QUESTIONS BY MR. BOWER:
24 Q. Do you recall approximately
25 when that -- the order level alerts for

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1 Reddwerks was rolled out?
2 A. I believe 2010, 2011.
3 Q. And what about the enhancement
4 that you mentioned, what does that refer to?
5 A. So we added different screens
6 on the Reddwerks system.
7 Q. Did you have any understanding
8 as to what the reason for the different
9 screens was?
10 MS. FUMERTON: Objection to
11 form.
12 MR. BOWER: What's the nature
13 of that objection?
14 MS. FUMERTON: Because it can
15 be -- again, it's vague and ambiguous,
16 but the reason why, because referring
17 to two different things: why it was
18 implemented in the first place, or why
19 the different screens existed and what
20 the functionality was.
21 QUESTIONS BY MR. BOWER:
22 Q. Okay. Why was the different
23 screens implemented in the first place?
24 A. Different visibility to that
25 order alert.

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1 Q. And what different visibility
2 was provided by the new screens?
3 A. From what I recall, it showed
4 what was ordered, what was the threshold and
5 what the weekly amount shipped. And that
6 wasn't available. Or it was available, but
7 you had to go dig through it, so this just
8 put it all on one screen.
9 Q. Were those new or different
10 screens part of the ordering process for
11 Schedule II products?
12 MS. FUMERTON: Objection to
13 form.
14 THE WITNESS: I'm not sure I
15 understand your question.
16 QUESTIONS BY MR. BOWER:
17 Q. Well, you mentioned that
18 enhancement occurred, right, to Reddwerks?
19 A. Yes.
20 Q. Right?
21 Did that enhancement impact the
22 ordering, or the review of the ordering, for
23 Schedule II products?
24 MS. FUMERTON: Objection.
25 Form.

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1 THE WITNESS: They were part of
2 the rollout with all the other DCs.
3 QUESTIONS BY MR. BOWER:
4 Q. Okay. But I thought you
5 testified earlier that Schedule II products
6 could only be ordered once a week, correct?
7 A. That's correct.
8 Q. Okay. So why would Walmart
9 need an enhancement to view the prior orders
10 for that week for Schedule II products?
11 MS. FUMERTON: Objection.
12 Form.
13 THE WITNESS: I mean, it was
14 just to level set all the buildings.
15 The code needed to be the same for
16 all.
17 QUESTIONS BY MR. BOWER:
18 Q. But for practical purposes,
19 because Schedule II products were ordered
20 once a week, it wouldn't have impacted the
21 information on those screens, correct?
22 A. I don't know. I mean...
23 Q. Well, you know that Schedule II
24 products can only be ordered once a week,
25 correct?

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1 A. That's correct.
2 Q. So what additional information
3 could have been provided with respect to
4 those orders once the enhancement occurred?
5 MS. FUMERTON: Objection.
6 Form.
7 THE WITNESS: They still had a
8 threshold, so it still would alert if
9 it was beyond that threshold.
10 QUESTIONS BY MR. BOWER:
11 Q. Okay. Was the threshold
12 available prior to that enhancement?
13 MS. FUMERTON: Objection.
14 Form.
15 THE WITNESS: Yes.
16 QUESTIONS BY MR. BOWER:
17 Q. So did the enhancement impact
18 the threshold?
19 A. No.
20 Q. Did the enhancement impact how
21 the alerts for any threshold -- strike that.
22 Did the -- did the enhancement
23 impact how threshold alerts were conveyed to
24 the DC?
25 MS. FUMERTON: Objection.

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1 Form.
2 THE WITNESS: Not that I'm
3 aware of. I don't know.
4 (Walmart-Sullins Exhibit 1
5 marked for identification.)
6 QUESTIONS BY MR. BOWER:
7 Q. I'm going to show you some
8 documents, and maybe it will help you refresh
9 your recollection.
10 Okay?
11 A. Okay.
12 Q. Okay. You've been handed
13 what's been marked as Exhibit 1. This is --
14 take a moment to review it.
15 While you're reviewing it, I'll
16 note that this is an e-mail from Tim Harris
17 to Nick Tallman, yourself, Theresa Alford,
18 Donna Auldrige and Donald Silvia, Junior,
19 dated 8/1/2011, and the Bates number is
20 ending in 9183. And it includes the
21 attachments going through 9185. Or
22 attachment, rather.
23 So just take a moment to review
24 that. Let me know when you're done. I just
25 have a -- my initial questions will be

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1 whether this refreshes your recollection that
2 the systems you were working on related
3 suspicious order monitoring as noted in the
4 title of the attachment.
5 A. I don't recall the e-mail.
6 MS. FUMERTON: And once you're
7 done, just for the documents, it's
8 probably best to let him know that
9 you're done reviewing the document and
10 he can ask his questions.
11 THE WITNESS: Okay.
12 MR. BOWER: Thanks.
13 THE WITNESS: I'm finished.
14 QUESTIONS BY MR. BOWER:
15 Q. Okay. If you see the e-mail,
16 the first e-mail there in that chain from
17 Mr. Beam to Tim Harris, do you see that one?
18 A. Yes.
19 Q. He writes, "I know that Ramona,
20 Jim and crew were working on a data system to
21 meeting the new regulatory requirements."
22 Do you see that?
23 A. Yes.
24 Q. Was that an accurate statement
25 in August of 2011?

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1 A. I don't know that we were
2 working on those -- the threshold process
3 with Reddwerks.
4 Q. And was that process a data
5 system designed to meet new regulatory
6 requirements?
7 A. I know that it was -- I don't
8 know that there was a new regulatory
9 requirement. I know that what I was asked to
10 do was to partner with Reddwerks and have
11 them put together a threshold process.
12 Q. Okay. So -- but certainly when
13 you received this e-mail, you must have
14 realized that -- the reasons for that, right?
15 MS. FUMERTON: Objection.
16 Form.
17 QUESTIONS BY MR. BOWER:
18 Q. I mean, he's stating here
19 that -- the data system to meet the new
20 requirements.
21 Do you see that?
22 A. I see it.
23 Q. So when you would receive this
24 e-mail, wouldn't have you then learned of the
25 reasons for the Reddwerks project?

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1 MS. FUMERTON: Objection.
 2 Form.
 3 THE WITNESS: I don't recall if
 4 this was before or after we started
 5 the project.
 6 QUESTIONS BY MR. BOWER:
 7 Q. Okay. But my question to you,
 8 though, is whether, when you received this
 9 e-mail, wouldn't that have informed you the
 10 reasons for the project?
 11 MS. FUMERTON: Objection.
 12 Form.
 13 THE WITNESS: Again, I don't
 14 know if I received this e-mail prior
 15 to the Reddwerks changes that we were
 16 in the process of doing.
 17 QUESTIONS BY MR. BOWER:
 18 Q. And I'm just -- sorry. My
 19 question is a little bit different, though.
 20 Okay?
 21 My question is: When you
 22 received this e-mail, would this e-mail not
 23 have informed you the reasons that you were
 24 implementing the Reddwerks projects, whether
 25 it was complete yet or not?

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1 MS. FUMERTON: Objection.
 2 Form.
 3 THE WITNESS: Again, I don't
 4 know if I would have received this
 5 e-mail prior to us doing the Reddwerks
 6 enhancement.
 7 QUESTIONS BY MR. BOWER:
 8 Q. Okay. Well, let's say you
 9 received this e-mail after you did these
 10 enhancements, okay?
 11 A. Okay.
 12 Q. Would this e-mail then have
 13 informed you whether or not the enhancements
 14 were designed to meet new regulatory
 15 requirements?
 16 A. No, because I don't know what
 17 they were. It wasn't anything that I was --
 18 I mean, it wasn't part of my job
 19 responsibilities.
 20 It was my job responsibility to
 21 partner with Reddwerks and get the threshold
 22 process implemented.
 23 Q. And what specifically were you
 24 instructed to get implemented with respect to
 25 the threshold process? What does that mean?

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1 A. So the -- to put in a system to
 2 alert orders that were beyond that threshold,
 3 whatever that was determined.
 4 Q. And who told you that was --
 5 that needed to be done?
 6 A. Tim Harris.
 7 Q. In this e-mail?
 8 Is this what he's telling you
 9 needs to be done, or some other communication
 10 that he told you needed to be done?
 11 MS. FUMERTON: Objection.
 12 Form.
 13 THE WITNESS: It would have
 14 been outside of -- I would think it
 15 would have been in a communication one
 16 on one, you know.
 17 QUESTIONS BY MR. BOWER:
 18 Q. All right. So we're in August,
 19 right, 2011, right? Mr. Harris sends you
 20 this e-mail saying that "Ramona, Jim and crew
 21 were working on a data system to meeting the
 22 new regulatory requirements."
 23 Is your testimony as you sit
 24 here today that you didn't know why you were
 25 working on a new system?

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1 MS. FUMERTON: Objection.
 2 Form. Misstates the document.
 3 THE WITNESS: Yes.
 4 QUESTIONS BY MR. BOWER:
 5 Q. And who's Jim, do you know,
 6 referenced in this e-mail?
 7 A. I don't know.
 8 Q. Well, there's two people
 9 mentioned by name: you and Jim. You're
 10 saying you don't know who Jim is?
 11 A. There was a Jim on our team,
 12 but there was also other Jims in the area.
 13 Q. What do you mean by "in the
 14 area"?
 15 A. In the health and wellness
 16 area.
 17 Q. Well, were any other Jims
 18 working on a data system to meeting the new
 19 regulatory requirements?
 20 A. I don't know. I -- I mean, I
 21 was asked to do that. I don't know if Jim
 22 was, too.
 23 Q. Did you work with a Jim in
 24 context with that assignment?
 25 A. No, I did not.

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1 Q. Okay. Did you work with any
 2 others in your crew on that assignment?
 3 A. I worked with compliance, and
 4 there was a Jim in compliance. I don't know
 5 if that's who he's referring to.
 6 Q. Did you ever ask him, "Hey,
 7 Tim, who are you referring to? I don't
 8 understand your e-mail"?
 9 MS. FUMERTON: Objection.
 10 Form. Misstates the document.
 11 THE WITNESS: I don't recall.
 12 QUESTIONS BY MR. BOWER:
 13 Q. Okay. Any other names of the
 14 crew members that you can recall?
 15 A. No, because it would have
 16 been -- I don't know who would have been in
 17 ISD or anything like that that I would have
 18 worked with to help with the system portion
 19 of it.
 20 Q. What do you mean by "the system
 21 portion of it"?
 22 A. Well, it was an enhancement to
 23 the system.
 24 Q. And as you sit here today, how
 25 do you know this was referring to the

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1 enhancement and not the initial threshold
 2 process?
 3 MS. FUMERTON: Objection.
 4 Form.
 5 THE WITNESS: So I'm talking
 6 about the threshold process.
 7 QUESTIONS BY MR. BOWER:
 8 Q. Okay. Well, you mentioned --
 9 and I just want to make sure -- sorry, I'll
 10 let you finish.
 11 A. No, go ahead.
 12 Q. I just want to be clear,
 13 because before you mentioned two different
 14 things, right, the initial creation of the
 15 order level alerts and then the enhancement?
 16 A. Yes.
 17 Q. Is it your understanding that
 18 this e-mail refers to that initial creation
 19 of the alerts or the enhancement?
 20 A. The initial creation of the
 21 alerts.
 22 Q. Was that a fairly large project
 23 for you at that time?
 24 A. Yes.
 25 Q. Okay. But as you sit here

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1 today, you don't know who you worked with on
 2 it; is that correct?
 3 A. I know who I worked with in
 4 ISD. I don't recall who I worked with
 5 because there was multiple people in
 6 compliance that were involved.
 7 Q. Okay. What does ISD stand for?
 8 A. Information systems --
 9 Q. Okay. And who --
 10 A. -- department.
 11 Q. And who did you work with at
 12 ISD?
 13 A. With Donald Silvia.
 14 Q. Anyone else?
 15 A. There was other people there.
 16 I don't recall who they were.
 17 Q. And what specifically did you
 18 do in connection with creating the order
 19 level alerts?
 20 A. So we would partner with
 21 Reddwerks to look at what requirements were
 22 needed from compliance. Compliance would --
 23 you know, pretty much told us how they wanted
 24 the process to work. We then conveyed those
 25 requirements to Reddwerks.

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1 Q. Do you recall what compliance
 2 told you with respect to how they wanted the
 3 process to work?
 4 A. I don't recall because it was
 5 part of the requirements, so I don't recall
 6 specifically.
 7 Q. Do you recall anything about
 8 what compliance told you they needed?
 9 A. For it to alert orders based on
 10 the threshold.
 11 Q. Okay. And do you recall
 12 whether this was specific to Schedule II
 13 products or whether it was broader than that?
 14 A. It was all products.
 15 Q. Was it limited to pharmacy
 16 products?
 17 A. It was all pharmacy. It was in
 18 the pharmacy distribution centers, yes.
 19 Q. Did they include products that
 20 were not prescription drugs?
 21 A. Yes.
 22 Q. Can you give us an example of
 23 something that would have been included that
 24 wasn't a prescription drug?
 25 A. The ReliOn insulin strips.

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1 Q. Okay. Anything else that
2 wasn't a prescription drug that would have
3 been included in this project?
4 A. There was some supplies that
5 were -- that we would ship to the stores.
6 There was hearing aids.
7 Q. So this -- sorry, I didn't know
8 if --
9 A. It's okay.
10 Q. So this order level alert
11 project had a fairly significant impact on
12 the pharmacy ordering; would you agree with
13 that?
14 MS. FUMERTON: Objection.
15 Form.
16 THE WITNESS: I wouldn't agree
17 with that.
18 QUESTIONS BY MR. BOWER:
19 Q. And why not?
20 A. It wouldn't have impacted the
21 orders.
22 Q. Okay. Would it have impacted
23 the ordering process?
24 A. No.
25 Q. Okay. What impact would it

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1 have had, if any, on the pharmacies?
2 A. I don't know of any impact that
3 it would have had.
4 Q. So do you have any
5 understanding as to what the reasons that
6 these thresholds were being implemented?
7 A. Ask that again.
8 Q. Sure.
9 Do you have any understanding
10 as to why these thresholds were being
11 implemented?
12 A. No.
13 Q. You just were asked to do it,
14 correct?
15 A. Correct.
16 Q. So you did it, right?
17 A. Yes.
18 Q. Okay. So let's look at the
19 attachment then to this Exhibit 1.
20 Do you see it says, "A SOMLink
21 solution"?
22 A. Yes.
23 Q. And do you see the title of the
24 attachment in the e-mail says "suspicious
25 order monitoring"?

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1 A. Yes.
2 Q. Do you see that?
3 Do you know what suspicious
4 order monitoring is?
5 A. Yes.
6 Q. And what's your understanding
7 as to what suspicious order monitoring is?
8 A. Monitoring orders coming into
9 the distribution center.
10 Q. And would that -- strike that.
11 Based on your understanding,
12 would that include orders of any kind of
13 product?
14 A. Yes.
15 Q. Including nonprescription
16 products?
17 A. Yes.
18 Q. Okay. And why was Walmart --
19 strike that.
20 What's your basis for that
21 understanding?
22 A. Just that it affected all
23 product. We were asked to do it for all the
24 product, not specific.
25 Q. Well, do you see in the

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1 attachment here it references DEA compliance?
2 MS. FUMERTON: Can you point to
3 specifically where you're looking?
4 QUESTIONS BY MR. BOWER:
5 Q. Sure.
6 It says, "The statistical
7 defensible analysis provided by SOMLink is a
8 must for DEA compliance, VAWD accreditation
9 and HDMA membership."
10 Do you see that in the last
11 sentence of the second paragraph?
12 A. Yes, I see that.
13 Q. Do you know what DEA compliance
14 refers to?
15 A. No.
16 Q. Do you have any understanding
17 that Walmart has an obligation to monitor for
18 suspicious orders of Schedule II products?
19 A. Yes, I do understand that they
20 have an obligation.
21 Q. Okay. Do you have any
22 understanding that that obligation may have
23 been related to your threshold work in
24 Reddwerks?
25 A. At the time I didn't put those

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1 together.
2 Q. At the time it was your
3 understanding that the Reddwerks project was
4 simply -- strike that.
5 What was your understanding of
6 why the Reddwerks project was needed during
7 this time period?
8 A. During 2010?
9 Q. Yeah. 2011.
10 A. I'm sorry. That we needed to
11 put in a threshold order level alert into the
12 system. That was my understanding.
13 Q. But you didn't have any
14 understanding as to why that system was
15 needed, correct?
16 A. Correct.
17 Q. And indeed that system wasn't
18 limited to Schedule II products, correct?
19 A. Correct.
20 Q. And it wasn't limited to
21 Schedule III products, correct?
22 A. Correct.
23 Q. It applied to all -- strike
24 that.
25 It applied to all prescription

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1 products, correct?
2 A. It applied to all products.
3 Q. When did the rollout of the
4 C-S-O-S, CSOS, occur?
5 A. I think we did a pilot in 2012,
6 at the end of 2012.
7 Q. Was the CSOS specific to 6045?
8 A. Yes.
9 Q. Do you recall when it was
10 actually put in practice in 6045?
11 A. 2000 -- I'm guessing 2013 if we
12 did it at the end of 2012.
13 Q. While you were working on CSOS,
14 did you have any understanding as to why
15 Walmart was implementing that process?
16 A. To go away from the paper 222
17 forms.
18 Q. And did you have any further
19 understanding as to why Walmart wanted to go
20 away from the paper 222s?
21 A. No. We had -- we had old
22 computers that were running the system and
23 old dot matrix printers that were obsolete,
24 and we couldn't find replacements for those,
25 so that was a part of the initiative to move

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1 to the electronic CSOS.
2 Q. And at some point did you
3 become aware that Walmart -- Walmart
4 Distribution Center 6045 was running daily
5 over 20 reports?
6 A. I did become aware of it. I
7 was -- may have been copied on a couple of
8 e-mails on that, yeah.
9 Q. Sorry. You said you were
10 copied on a couple of e-mails; is that
11 correct?
12 A. I don't know how many. I
13 believe I was -- I had one e-mail or
14 something.
15 Q. Well, weren't you, in fact, the
16 person to inform the folks at DC 6045 of the
17 new process?
18 MS. FUMERTON: Objection.
19 Form.
20 THE WITNESS: I don't recall.
21 QUESTIONS BY MR. BOWER:
22 Q. You don't recall one way or the
23 other; is that correct?
24 A. I don't recall informing them.
25 Q. Do you recall having meetings

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1 about the process?
2 A. No.
3 Q. Do you recall discussing the
4 process with Bart?
5 A. No.
6 (Walmart-Sullins Exhibit 2
7 marked for identification.)
8 QUESTIONS BY MR. BOWER:
9 Q. Okay. You've been handed
10 what's been marked as Exhibit 2 to today's
11 deposition. It's an e-mail -- short e-mail
12 chain to yourself and others in July of 2012.
13 Let me know when you've had a
14 chance to review it.
15 A. Okay. Okay.
16 Q. Does this refresh your
17 recollection regarding your role in rolling
18 out this process at 6045?
19 A. It does.
20 Q. Okay. And what was your role?
21 A. To inform them to put the -- to
22 let them know that there was going to be a 20
23 limit on the oxy 30.
24 Q. And why were you the one that
25 was supposed to inform them of that?

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1 A. Because I had to send an e-mail
2 to Reddwerks, and I had owned that
3 relationship with Reddwerks.
4 Q. Okay. Did you also own the
5 relationship with the DC team?
6 A. I was one of, you know, three
7 that owned that relationship as well.
8 Q. All right. And indeed, your
9 e-mail says "DC team, we," affecting
10 inclusion of yourself, correct?
11 I mean, it's your words, right?
12 You say, "DC team, we," right?
13 A. Right.
14 Q. Right?
15 "We have been asked to limit
16 the quantity of Item 3880693, oxycodone 30."
17 Do you see that?
18 A. I do.
19 Q. Okay. Did you have at that
20 time any understanding as to why that was
21 occurring?
22 A. No.
23 Q. Did it matter to you?
24 A. No, I was just asked to do it.
25 Q. And who asked you to do it?

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1 A. From this e-mail, it looks like
2 Brandon.
3 Q. Well, let's look at that
4 e-mail, all right?
5 Brandon writes, "Ramona, as we
6 discussed today," correct?
7 A. Right.
8 Q. "And based on Bart's data,"
9 right?
10 Do you know what data he's
11 referring to?
12 A. No, I don't.
13 Q. Do you know who Bart is?
14 A. Bart was in replenishment.
15 Q. Do you know what data he
16 provided?
17 A. No, I don't know what data he
18 provided. I don't recall it.
19 Q. And Brandon goes on to write,
20 he says, "After two weeks, we will then visit
21 on what our next step of drugs to focus on
22 will be."
23 Do you see that?
24 A. I see that.
25 Q. Do you and him visit on "what

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1 our next step of drugs" we'll focus on will
2 be?
3 A. I don't recall.
4 Q. Do you recall -- strike that.
5 All right. Are you aware the
6 country is undergoing an opioid epidemic?
7 A. I am aware of that.
8 Q. When did you become aware of
9 that?
10 A. I don't know exactly when.
11 I've seen it in the news.
12 Q. Did you ever discuss it at
13 work?
14 A. No.
15 Q. No?
16 Didn't concern you at all that
17 you had a role in limiting one of the most
18 highly abused drugs in the country?
19 MS. FUMERTON: Objection.
20 Form.
21 THE WITNESS: Ask your question
22 again.
23 QUESTIONS BY MR. BOWER:
24 Q. Did it concern you at all that
25 you played a role in limiting the ordering by

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1 Walmart pharmacies of one of the highest
2 abused drugs in the country?
3 MS. FUMERTON: Objection.
4 Form.
5 THE WITNESS: Was I concerned?
6 QUESTIONS BY MR. BOWER:
7 Q. Yeah.
8 A. No, I was asked to do
9 something.
10 Q. Okay. Are you aware that
11 oxy 30 was being -- strike that.
12 Are you aware that orders of
13 oxy 30 were being limited because of its
14 potential for abuse?
15 MS. FUMERTON: Objection.
16 Form.
17 THE WITNESS: No, I had no
18 knowledge of why.
19 QUESTIONS BY MR. BOWER:
20 Q. Did it matter to you from your
21 perspective?
22 MS. FUMERTON: Objection.
23 Form.
24 THE WITNESS: I was asked to do
25 a job.

<p style="text-align: right;">Page 98</p> <p>1 QUESTIONS BY MR. BOWER: 2 Q. And so let's get into more of 3 what job you were asked to do. 4 Okay? 5 A. Okay. 6 Q. Your first e-mail here, the 7 bottom says, "Brandon, came looking for you 8 to discuss the queries I had ran on the items 9 listed below." 10 Why were you running those 11 queries? 12 A. I was asked to run those. 13 Q. And who asked you to run those? 14 A. Tim Harris. 15 Q. Tim Harris. 16 And what queries did he ask you 17 to run? 18 A. To run data on multiple items. 19 Q. Do you have any idea why you 20 were running on the -- a query for the 21 Item 3880910? 22 A. No, I was just asked to run it. 23 Q. Did you ever ask why? 24 A. No. 25 Q. What -- where did you run these</p>	<p style="text-align: right;">Page 100</p> <p>1 support@Reddwerks.com. 2 Q. And after you sent that e-mail, 3 how long would it have taken for this change 4 to be made? 5 A. An overnight change. 6 Q. Do you recall what the prior 7 order level alert was for oxy 30? 8 A. I don't recall. 9 Q. And then in your e-mail you 10 write, "If we receive calls from the stores 11 asking for additional oxy 30 product, please 12 direct them to the regional." 13 Why did you write that? 14 A. Because we had stores that 15 would call the distribution center to be 16 added for an additional day of shipment. 17 Q. I understand that stores could 18 call, but why are you directing them to the 19 regional? 20 A. To the store's regional. 21 Q. Why are you providing that 22 instruction? 23 A. I don't recall, other than 24 that's what we would do. 25 Q. How did you know that that was</p>
<p style="text-align: right;">Page 99</p> <p>1 queries? 2 A. In Teradata. 3 Q. And what's Teradata? 4 A. So it's a place where all, to 5 my understanding, data lives for, in this 6 case, shipment. 7 Q. What do you mean by "shipment"? 8 A. Ships to the store. 9 Q. Who would you have e-mailed at 10 Reddwerks to make the appropriate change to 11 the order level alert parameter screen? 12 A. It would have been a support 13 call to -- 14 Q. Well, it says "I will be 15 sending Reddwerks an e-mail." 16 Do you see that? 17 A. Yes. 18 Q. So that statement is not 19 correct? 20 A. So it's a support e-mail 21 address. 22 Q. Oh, okay. 23 Do you recall what that e-mail 24 address is? 25 A. It used to be</p>	<p style="text-align: right;">Page 101</p> <p>1 the appropriate thing to do? 2 A. I don't know. I mean, that's 3 what we did with stores, is direct them to 4 who their boss was. 5 Q. So by the regional -- the 6 regional would be referring to the store's 7 boss? 8 A. Yes. 9 Q. And then you next write, "Also, 10 we will need to keep track of the stores 11 calling in to the DC or submitting a web form 12 for additional oxycodone 30 product." 13 Do you see that? 14 A. Yes. 15 Q. Why did you write that? 16 A. I really don't know, other than 17 to keep track of who was calling in so that 18 we could report that back to their regional. 19 Q. But you didn't know why there 20 was a specific emphasis on oxy 30; is that 21 correct? 22 A. That's correct. 23 Q. And you never asked anybody why 24 oxy 30, correct? 25 A. No, I did not.</p>

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1 Q. Did you ever become aware that
2 oxy 30 was a highly abused drug?
3 A. No, I did not.
4 Q. Did you ever see the e-mails
5 that noted -- that noted that oxy 30 was a
6 highly abused drug?
7 A. Not that I recall.
8 Q. Did you ever have any follow-up
9 meetings with Brandon to discuss the next set
10 of drugs to focus on?
11 A. I don't recall if we did.
12 Q. Do you recall adding additional
13 order alert levels to other drugs?
14 A. I don't recall.
15 Q. Do you recall further
16 follow-ups with Mr. Sherl regarding putting
17 together a daily spreadsheet?
18 A. I don't recall that.
19 Q. Who was Susanne Hiland?
20 A. Susanne Hiland?
21 Q. Hiland, yeah, sorry.
22 A. She was in compliance.
23 Q. Do you work with her?
24 A. Yeah, on like CSOS I did.
25 Q. What about on this issue, on

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1 this oxy 30 issue?
2 A. I don't know if I did or
3 didn't.
4 Q. No recollection?
5 A. No.
6 Q. Do you recall running reports
7 and looking at what orders were cut?
8 A. No, I don't recall that.
9 Q. Do you recall being provided
10 with reports on what orders were cut?
11 A. No, I don't recall that.
12 Q. Do you recall anything else
13 about your role in cutting orders?
14 MS. FUMERTON: Objection.
15 Form.
16 QUESTIONS BY MR. BOWER:
17 Q. And just so I'm clear, my
18 question is very broad. I'm asking you do
19 you recall anything else about your role in
20 cutting -- cutting orders?
21 MS. FUMERTON: Objection.
22 Form.
23 THE WITNESS: Cut orders for
24 insulin, we cut orders for test
25 strips.

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1 QUESTIONS BY MR. BOWER:
2 Q. You cut orders for insulin. We
3 talked about that.
4 What are test strips?
5 A. The ReliOn test strips for --
6 diabetic test strips.
7 Q. Do you recall why you cut
8 orders for those test strips?
9 A. Again, it was similar to the
10 ReliOn insulin, that they would misorder
11 product.
12 Q. Right.
13 It was because they came in
14 packs of ten, correct, and folks simply
15 wouldn't realize that and order ten times the
16 amount necessary, right?
17 A. Yes.
18 Q. So there were specific reasons
19 for those order cuts, right?
20 A. Yes.
21 Q. Based on the size of the
22 packaging, right?
23 MS. FUMERTON: Objection.
24 Form.
25 THE WITNESS: It was after we

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1 would contact the store and let them
2 know. DCs would contact the stores.
3 QUESTIONS BY MR. BOWER:
4 Q. Right.
5 And they would cut because the
6 packages came in ten, correct?
7 MS. FUMERTON: Objection.
8 Form.
9 THE WITNESS: Not necessarily.
10 They would cut based on what they
11 needed.
12 QUESTIONS BY MR. BOWER:
13 Q. Well, those two products were
14 frequently ordered in multiples of ten, so
15 they had to be cut because the orders were
16 too large; isn't that right?
17 MS. FUMERTON: Objection.
18 Form.
19 THE WITNESS: At certain times,
20 yes.
21 QUESTIONS BY MR. BOWER:
22 Q. So other than those two
23 products and oxy 30, any other products that
24 you had involvement in cutting orders for?
25 MS. FUMERTON: Objection.

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1 Form.
2 THE WITNESS: Not that I
3 recall.
4 QUESTIONS BY MR. BOWER:
5 Q. And you know why those two
6 orders were cut, right, but you don't know
7 why oxy 30 orders were cut?
8 A. No, I don't know.
9 Q. You never asked?
10 A. I did not.
11 Q. Didn't concern you?
12 MS. FUMERTON: Objection.
13 Form.
14 THE WITNESS: I did what they
15 were asking me to do.
16 (Walmart-Sullins Exhibit 3
17 marked for identification.)
18 QUESTIONS BY MR. BOWER:
19 Q. Okay. You've been handed
20 what's been marked as Exhibit 3, which is
21 another e-mail from yourself, right, to
22 Mr. Sherl --
23 A. Uh-huh.
24 Q. -- cc'ing others, right?
25 A. Yes.

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1 Q. And this is, in fact, the same
2 day as the prior e-mail, right?
3 A. Yes.
4 Q. All right. This is 8:42 at
5 night, right?
6 A. Yes.
7 Q. Any recollection as to why
8 you're e-mailing Jimmie at 8:42 at night
9 referencing a phone conversation?
10 MS. FUMERTON: I don't know if
11 she's had a chance to review the
12 document yet.
13 MR. BOWER: Okay. Sure, it's
14 just a short e-mail, but, sure.
15 THE WITNESS: Okay.
16 QUESTIONS BY MR. BOWER:
17 Q. Have you had a chance to review
18 it?
19 A. Yes.
20 Q. Okay. Any recollection as to
21 why you're e-mailing Jimmie at 8:42 at night
22 referencing a phone conversation?
23 A. No, I don't recall what I was
24 e-mailing at 8:42.
25 Q. Did you typically work that

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1 late?
2 A. I would take my laptop home to
3 get e-mail done.
4 Q. Do you typically work that
5 late?
6 A. On some occasions, yes.
7 Q. What time do you usually come
8 to the office?
9 A. I'm usually there by 7.
10 Q. And you're referencing your
11 phone conversation with Jimmie, correct?
12 A. Yes, that's what it says here.
13 Q. You're saying, "Please put
14 together a daily spreadsheet with the
15 essential information needed to report any
16 stores that order more than 20 bottles of
17 oxycodone 30."
18 Do you see that?
19 A. Yes.
20 Q. Do you have any recollection as
21 to why you provided that instruction to
22 Mr. Sherl?
23 A. Because of the e-mail he had
24 sent. It was in e-mail format.
25 Q. And why -- what was the problem

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1 with the e-mail format?
2 A. Just cleaner if it's on a
3 spreadsheet.
4 Q. Cleaner for whom?
5 A. For the audience that's going
6 to see it.
7 Q. And who was going to see it?
8 A. In this case it was myself.
9 Q. So why did you want a cleaner
10 spreadsheet?
11 A. Just to be able to read it
12 better.
13 Q. What would you do with it?
14 A. Forward it on.
15 Q. Why would you receive it?
16 A. Because I was asked to put the
17 information together.
18 Q. What information were you asked
19 to put together?
20 A. The 28 -- the oxy 30 that was
21 being cut to 20.
22 Q. Someone asked you to put that
23 information together; is that your testimony?
24 A. No, my testimony -- no. I was
25 asked to tell them to do it, and they were

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1 providing me the information, so then I would
2 forward it on. I was a funnel. And then --
3 so I'd asked him to put it in a spreadsheet.
4 Q. Did you receive these reports
5 on a daily basis?
6 A. I'm sorry, say that again?
7 MR. BOWER: Can you just read
8 that back?
9 (Court Reporter read back
10 question.)
11 THE WITNESS: I did for a
12 period of time.
13 QUESTIONS BY MR. BOWER:
14 Q. For what time period?
15 A. I don't know. I don't recall.
16 Q. Approximately what time period?
17 A. I don't -- I really don't know.
18 Q. But certainly as of this date
19 you would have started receiving them,
20 correct?
21 A. Correct.
22 Q. Okay. Do you recall
23 approximately when you would have stopped
24 receiving them?
25 A. No, it was -- I don't know.

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1 Q. A few months? A few years?
2 Somewhere in the middle?
3 A. No. If I'm guessing, it would
4 be less than a month.
5 Q. Okay. Do you recall who -- why
6 you stopped receiving them?
7 A. Because my portion of the work
8 was complete.
9 Q. And what -- from your
10 perspective, what was your portion of the
11 work? What does that mean?
12 A. So I was asked to get with
13 Reddwerks and put a threshold of 20, partner
14 with the DC to let them know to provide that
15 report, and then I would forward that on.
16 And then I asked him to put it in a
17 spreadsheet.
18 Q. Then who -- you mentioned
19 before you were a funnel.
20 Who would you send those
21 spreadsheets to?
22 A. It looks like Susanne Hiland
23 or -- and Brandon Worth.
24 Q. Who told you to send them to
25 those folks?

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1 A. I don't recall who did.
2 Q. How'd you know where to send
3 them?
4 A. I'm sure I was told at that
5 time, but I don't recall who did it.
6 Q. And as you sit here today, you
7 have no understanding as to why you were
8 sending them to those two individuals; is
9 that correct?
10 MS. FUMERTON: Objection.
11 Form.
12 THE WITNESS: That's correct.
13 QUESTIONS BY MR. BOWER:
14 Q. So let's go back then to
15 Mr. Sherl's e-mail to yourself and Mr. Mullin
16 and then cc'ing Mr. Abernathy and Ms. Miller.
17 Do you see that?
18 A. Yes.
19 Q. And that's on the morning of
20 July 23rd, right, 9:33 a.m.?
21 MS. FUMERTON: I think we're
22 not caught up with you. He's
23 looking --
24 MR. BOWER: Oh, sorry. The
25 first one, the first string in the

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1 e-mail. Sorry about that.
2 THE WITNESS: Okay. Yes.
3 QUESTIONS BY MR. BOWER:
4 Q. So I just have a couple of
5 questions on this.
6 Why is Mr. Sherl sending this
7 information to you?
8 Right? The e-mail is a
9 breakdown of the C-II orders, right?
10 A. Yes.
11 Q. Did you ask him to send that to
12 you?
13 A. I don't recall if I did or
14 didn't.
15 Q. Okay. So you see one of the
16 things he mentioned is Store 1935.
17 Do you see that?
18 A. Yes.
19 Q. It says Store 1935 in
20 Johnstown, PA, had two items over 20: oxy
21 30, 41 bottles.
22 Do you see that?
23 A. Yes.
24 Q. And oxycodone ACL 15,
25 23 bottles.

<p style="text-align: right;">Page 114</p> <p>1 Do you see that?</p> <p>2 A. Yes.</p> <p>3 Q. Okay. Was there -- do you</p> <p>4 recall any discussion about monitoring C-II</p> <p>5 orders for products other than oxy 30?</p> <p>6 A. I don't recall.</p> <p>7 Q. Do you have any idea why</p> <p>8 Mr. Sherl is sending you this information?</p> <p>9 A. No.</p> <p>10 Q. Well, there's only -- he's</p> <p>11 sending it to you and Mr. Mullin, right?</p> <p>12 A. Yes.</p> <p>13 Q. All right. Walmart's got more</p> <p>14 than 4,000 pharmacies, right?</p> <p>15 A. Yes.</p> <p>16 Q. Lots of people involved at home</p> <p>17 office in this?</p> <p>18 MS. FUMERTON: Objection.</p> <p>19 Form.</p> <p>20 QUESTIONS BY MR. BOWER:</p> <p>21 Q. Correct?</p> <p>22 A. I don't know --</p> <p>23 Q. Well --</p> <p>24 A. -- who all was involved.</p> <p>25 Q. Well, why is he sending it to</p>	<p style="text-align: right;">Page 116</p> <p>1 Q. It could have happened; you</p> <p>2 just don't recall. Right?</p> <p>3 A. It could have happened; I don't</p> <p>4 recall.</p> <p>5 Q. In fact, it appears to be what</p> <p>6 Mr. Sherl is looking at, right, breakdown of</p> <p>7 all C-II orders, correct?</p> <p>8 That's what it says, right?</p> <p>9 "The following is a breakdown of these C-II</p> <p>10 orders," right?</p> <p>11 He's not limiting it to oxy 30,</p> <p>12 is he?</p> <p>13 A. I don't know what he was -- I</p> <p>14 don't know what he put in here other than</p> <p>15 what's here.</p> <p>16 Q. Well, is this limited to oxy</p> <p>17 30?</p> <p>18 A. I don't know.</p> <p>19 Q. Well, let's look at it, right?</p> <p>20 Let's look at another store,</p> <p>21 store 2555. You following me?</p> <p>22 A. Yes.</p> <p>23 Q. Going halfway down, had two</p> <p>24 items over 20, right? One of which was oxy</p> <p>25 30, right, and one of which was oxy 15.</p>
<p style="text-align: right;">Page 115</p> <p>1 you?</p> <p>2 MS. FUMERTON: Objection.</p> <p>3 Form. Asked and answered.</p> <p>4 THE WITNESS: I don't recall.</p> <p>5 I mean, other than I sent him the</p> <p>6 e-mail.</p> <p>7 QUESTIONS BY MR. BOWER:</p> <p>8 Q. Why are you informing Susanne</p> <p>9 and Brandon which orders the DC cut?</p> <p>10 A. I don't recall why. I -- I</p> <p>11 don't recall why.</p> <p>12 Q. And this e-mail doesn't refresh</p> <p>13 your recollection?</p> <p>14 A. No, it does not.</p> <p>15 Q. You still don't recall anything</p> <p>16 about this; is that correct?</p> <p>17 A. That's correct.</p> <p>18 Q. Okay. So do you know whether</p> <p>19 you also asked Reddwerks to change alerts for</p> <p>20 other C-II items?</p> <p>21 MS. FUMERTON: Objection.</p> <p>22 Form.</p> <p>23 THE WITNESS: I don't recall if</p> <p>24 I did.</p> <p>25 QUESTIONS BY MR. BOWER:</p>	<p style="text-align: right;">Page 117</p> <p>1 Do you see that?</p> <p>2 A. Yes.</p> <p>3 Q. So it appears here that he was</p> <p>4 looking at other C-II items other than oxy</p> <p>5 30. Would you agree with that?</p> <p>6 A. Yes.</p> <p>7 Q. All right. So at some point</p> <p>8 Walmart was concerned with any order of any</p> <p>9 C-II item over 20; is that correct?</p> <p>10 MS. FUMERTON: Objection.</p> <p>11 Form.</p> <p>12 THE WITNESS: I don't know.</p> <p>13 QUESTIONS BY MR. BOWER:</p> <p>14 Q. Well, it's what Mr. Sherl was</p> <p>15 looking at here, isn't it?</p> <p>16 A. I don't know what he was</p> <p>17 looking at other than he put stores and</p> <p>18 quantities down for different products.</p> <p>19 Q. And he notes, for example, at</p> <p>20 the bottom, "interesting note on 2029."</p> <p>21 That references the store</p> <p>22 number, right, 2029?</p> <p>23 MS. FUMERTON: 2029 or 2029?</p> <p>24 QUESTIONS BY MR. BOWER:</p> <p>25 Q. I'm sorry, 2029, the bottom of</p>

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1 the last one there, the last bullet point.
2 "Interesting note on 2929"?
3 A. Okay. I see what you're
4 saying.
5 Q. He writes, "Interesting note on
6 2929 is that their order number has increased
7 every week for the month of July."
8 Do you see that?
9 A. I see that.
10 Q. None of this concerned you at
11 the time you received it; is that your
12 testimony?
13 A. I'm sorry, say that again?
14 Q. Did any of this concern you at
15 the time you received it?
16 MS. FUMERTON: Objection.
17 Form.
18 THE WITNESS: I don't recall.
19 QUESTIONS BY MR. BOWER:
20 Q. Do you recall being concerned
21 that store 2555, for example, was a high
22 volume store, 495,000 for the month of June?
23 A. Repeat your question?
24 MR. BOWER: Can you just read
25 it?

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1 (Court Reporter read back
2 question.)
3 THE WITNESS: So I don't know
4 what the -- I don't know what 495
5 references, if it's total -- total
6 drugs or just a specific item.
7 QUESTIONS BY MR. BOWER:
8 Q. What do you mean by that?
9 A. Because he's referencing a 405
10 report.
11 Q. Right.
12 A. The 405 report, I don't know if
13 the 405 report was multiple items or one
14 specific item.
15 Q. Well, his reference is June, SD
16 405-1, number 25 in oxy 30 and number 16 in
17 oxy 15, right?
18 A. Right.
19 Q. What does that mean?
20 A. To just reading the note here
21 is that it would be the number 25 store for
22 oxy 30 and the number 16 store for oxy 15.
23 Q. And that's the rank of the
24 store out of all Walmart pharmacies in the
25 entire country?

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1 A. I believe so.
2 Q. There's more than 4,000, right?
3 A. I don't know how many there
4 were at the time.
5 Q. Approximately?
6 A. I don't know.
7 Q. Okay. So, again, you didn't
8 have any concerns that one store might be in
9 the top 25 for both products?
10 A. It wasn't --
11 Q. It wasn't part of your
12 responsibilities, right?
13 A. No.
14 Q. So it didn't matter to you,
15 right?
16 MS. FUMERTON: Objection.
17 Form.
18 QUESTIONS BY MR. BOWER:
19 Q. Well, did it matter or not?
20 MS. FUMERTON: Objection.
21 Form.
22 THE WITNESS: It was not part
23 of my responsibility.
24 QUESTIONS BY MR. BOWER:
25 Q. Were you aware in July of 2012

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1 that oxycodone was creating an opioid
2 epidemic in this country?
3 MS. FUMERTON: Objection.
4 Form.
5 THE WITNESS: I was not aware.
6 QUESTIONS BY MR. BOWER:
7 Q. Hadn't seen any news reports on
8 it prior to this time period?
9 A. I don't recall.
10 Q. Do you recall attending
11 meetings discussing these reports?
12 A. No.
13 Q. You don't recall attending a
14 single meeting discussing these over 20
15 reports? Is that your testimony?
16 A. Yes, that's my testimony.
17 Q. What's the reason you don't
18 recall anything else about these reports?
19 MS. FUMERTON: Objection.
20 Form.
21 MR. BOWER: I'll strike that.
22 QUESTIONS BY MR. BOWER:
23 Q. Do you recall anything else
24 about these reports?
25 A. No.

<p style="text-align: right;">Page 122</p> <p>1 Q. Is there any reason for that?</p> <p>2 MS. FUMERTON: Objection to</p> <p>3 form.</p> <p>4 THE WITNESS: No.</p> <p>5 QUESTIONS BY MR. BOWER:</p> <p>6 Q. What were your day-to-day</p> <p>7 responsibilities in July of 2012?</p> <p>8 A. System enhancements.</p> <p>9 Q. Anything else?</p> <p>10 A. Inventory management. Any</p> <p>11 problems with systems that came up.</p> <p>12 Q. Okay. Let's break those down a</p> <p>13 bit more.</p> <p>14 What specifically were you</p> <p>15 doing for systems enhancement in July</p> <p>16 of 2012?</p> <p>17 A. Working on the CSOS.</p> <p>18 Q. Anything else?</p> <p>19 A. There was a project called</p> <p>20 weight in motion and ORMD applicator.</p> <p>21 Q. What is weight in motion?</p> <p>22 MS. FUMERTON: Objection.</p> <p>23 Form.</p> <p>24 QUESTIONS BY MR. BOWER:</p> <p>25 Q. Well, you referred to a project</p>	<p style="text-align: right;">Page 124</p> <p>1 that something different?</p> <p>2 A. No, that was part of the system</p> <p>3 enhancements.</p> <p>4 Q. Okay. So what were you doing</p> <p>5 for inventory management in July of 2012?</p> <p>6 A. I don't recall if we had</p> <p>7 installed a system called GRT into the DCs to</p> <p>8 key in their -- their cycle counts of</p> <p>9 inventory.</p> <p>10 Q. So do you recall anything that</p> <p>11 you actually were doing in inventory</p> <p>12 management in 2012?</p> <p>13 You said you don't recall</p> <p>14 whether you were doing that.</p> <p>15 A. I don't --</p> <p>16 Q. Do you recall doing anything in</p> <p>17 inventory management in July of 2012?</p> <p>18 MS. FUMERTON: Objection.</p> <p>19 Form. Misstates the testimony.</p> <p>20 QUESTIONS BY MR. BOWER:</p> <p>21 Q. I'll just ask it again.</p> <p>22 What were you doing with</p> <p>23 respect to inventory management in July</p> <p>24 of 2012?</p> <p>25 MS. FUMERTON: Objection.</p>
<p style="text-align: right;">Page 123</p> <p>1 called weight in motion. I'm just asking</p> <p>2 you: What is it?</p> <p>3 MS. FUMERTON: I think there</p> <p>4 was a mistranslation.</p> <p>5 MR. BOWER: Okay.</p> <p>6 MS. FUMERTON: I'm sure she can</p> <p>7 clarify.</p> <p>8 MR. BOWER: Okay.</p> <p>9 THE WITNESS: So weight in</p> <p>10 motion?</p> <p>11 QUESTIONS BY MR. BOWER:</p> <p>12 Q. Weight in motion?</p> <p>13 A. Weight.</p> <p>14 Q. What is that project?</p> <p>15 A. So that was the cubing of all</p> <p>16 product, and then there was a tolerance that</p> <p>17 we would set into the system. So let's say</p> <p>18 that it was 2 pounds. So as the box was</p> <p>19 order filled and came across the weights, it</p> <p>20 would divert that to a nonshipping lane for</p> <p>21 someone to go through and check every product</p> <p>22 to see if there was a mispick or something</p> <p>23 wasn't picked correctly.</p> <p>24 Q. Was that in connection with</p> <p>25 your duties in inventory management or is</p>	<p style="text-align: right;">Page 125</p> <p>1 Asked and answered.</p> <p>2 THE WITNESS: I mean, I don't</p> <p>3 know. I don't know if that project</p> <p>4 was during that time as well. I -- I</p> <p>5 don't know.</p> <p>6 QUESTIONS BY MR. BOWER:</p> <p>7 Q. Okay. What about -- you</p> <p>8 mentioned also problem suppliers, I believe.</p> <p>9 What were you doing with respect to that in</p> <p>10 July of 2012?</p> <p>11 A. I didn't say problems with</p> <p>12 suppliers.</p> <p>13 Q. Okay. So other than system</p> <p>14 enhancement and inventory management, what</p> <p>15 were your other duties and responsibilities</p> <p>16 in July of 2012?</p> <p>17 A. That was the majority of it.</p> <p>18 Q. So what did you spend your days</p> <p>19 doing? What was a typical day in July</p> <p>20 of 2012?</p> <p>21 A. Working on those projects.</p> <p>22 Q. Working on --</p> <p>23 A. CSOS and --</p> <p>24 Q. Sorry.</p> <p>25 A. -- weight in motion, ORMD</p>

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1 applicator.
2 Q. Sorry, is it RMD applicator?
3 A. ORMD.
4 Q. Approximately what percentage
5 of your time was spent on each of those three
6 projects?
7 A. Quite a bit of my time.
8 Q. How much of your time was spent
9 on CSOS?
10 A. I would say that was about
11 70 percent of my time.
12 Q. That was a big project for you?
13 A. It was a big project.
14 Q. And how long did that project
15 last?
16 A. About two years.
17 Q. Why did it take so long?
18 A. Because of the system coding
19 that had to occur, the integration that had
20 to occur with multiple systems.
21 Q. What systems did integration
22 have to work with?
23 A. I don't know all the systems,
24 but I know some. I had to work with our
25 mainframe system. I had to work with our --

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1 the store's ConnectSys system. Had to work
2 with our EDI system. I had to partner with
3 McKesson to send them files. So multiple,
4 multiple applications there.
5 Q. And before you mentioned -- I
6 meant to follow up on and didn't -- a
7 database called Teradata; is that correct?
8 A. Uh-huh.
9 Q. What information is available
10 in Teradata?
11 MS. FUMERTON: Objection.
12 Form.
13 THE WITNESS: There's -- I know
14 what I used it for. I know that
15 there's other uses of it.
16 QUESTIONS BY MR. BOWER:
17 Q. Okay. What did you use it for?
18 A. To pull invoices, to look at
19 purchase orders coming inbound to the DC.
20 Q. Anything else that you used it
21 for?
22 A. No, that was all.
23 Q. And how -- do you know how far
24 back you could pull invoices from?
25 A. I don't know how far back you

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1 can go.
2 Q. What's the farthest you've
3 gone?
4 A. A year.
5 Q. And what about purchase orders;
6 how far back have you gone?
7 A. 90 days.
8 Q. Do you know whether the
9 information on Teradata is backed up by
10 Walmart?
11 A. I don't know.
12 Q. Do you know who would know the
13 answer to that question?
14 A. I don't know.
15 Q. None of your IT partners would
16 know that?
17 A. I don't know if they would or
18 they wouldn't.
19 MS. FUMERTON: Is this a good
20 transition point? Because we've been
21 going about an hour and 20 minutes
22 now.
23 MR. BOWER: Sure, we can take a
24 break. I don't know what your
25 schedule is, but if we keep taking

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1 15-minute breaks an hour, we're not
2 going to be done by 4, so...
3 MS. FUMERTON: Well, it wasn't
4 15 minutes last time, I checked. But
5 in any event, we'll keep the breaks
6 short, and we'll keep lunch short,
7 too.
8 MR. BOWER: Okay.
9 VIDEOGRAPHER: Going off the
10 record. It's 9:54 a.m.
11 (Off the record at 9:54 a.m.)
12 VIDEOGRAPHER: We're back on
13 the record at 10:07 a.m.
14 (Walmart-Sullins Exhibit 4
15 marked for identification.)
16 QUESTIONS BY MR. BOWER:
17 Q. Okay. Ms. Sullins, we're back
18 on the record.
19 Let me hand you what's been
20 marked as Exhibit 4. This is an e-mail from
21 Theresa Alford to Tim Harris and yourself on
22 July 26th. Take a moment to review it.
23 And this is only a few days
24 after the Exhibit 3 that we just looked at.
25 A. Okay. Okay.

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1 Q. Okay. This e-mail you received
2 approximately three days prior to the last
3 e-mail, correct, Exhibit 3?
4 MS. FUMERTON: Three days
5 after?
6 MR. BOWER: What's that?
7 THE WITNESS: After?
8 QUESTIONS BY MR. BOWER:
9 Q. Three days after, right?
10 MS. FUMERTON: Yeah, you said
11 prior.
12 QUESTIONS BY MR. BOWER:
13 Q. Oh, sorry.
14 Exhibit 3 is was three days
15 prior to this, right?
16 A. Yes.
17 Q. Okay. This is another e-mail
18 about the oxy 30 orders, right?
19 A. I think it's an e-mail with
20 multiple changes.
21 Q. Okay. Let's go through those
22 changes.
23 What changes do you see?
24 A. It says, "market director MD
25 review and follow-up on all C-II exceptions.

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1 Revision" --
2 Q. So I just wanted -- for the
3 record, you're looking at the second bullet
4 point in the e-mail from Ms. Hiland?
5 A. Yes.
6 Q. And it says, "MD review and
7 follow up on all C-II order exceptions,"
8 right?
9 A. Yes.
10 Q. And "cc to practice compliance
11 regional and divisional," right?
12 A. Yes.
13 Q. What does MD refer to?
14 A. Market director.
15 Q. Do you know who held this
16 position at that time?
17 A. There would have been multiple
18 market directors.
19 Q. Okay. Who would they have
20 been; do you know?
21 A. I don't know.
22 Q. And what is -- do you see it
23 mentions a C-II order exception?
24 What does that refer to?
25 And I'll just note that the

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1 bullet point above that says, "implementation
2 of C-II order exception review."
3 Do you see that?
4 A. I do see that, yeah.
5 Q. And under that it has two
6 things, right? "Blocks orders of more 20
7 bottles of oxy 30," right?
8 A. Yes.
9 Q. And "alerts AP of all
10 pharmacies ordering more than 20 bottles of
11 any item for follow-up," right?
12 A. Yes.
13 Q. So those are the two things for
14 the C-II order exception review, right?
15 A. Yes.
16 Q. And then the MD is to review
17 and follow up on those two things?
18 A. Yes.
19 Q. All right. And was it your
20 role -- strike that.
21 Was your only role in this
22 process to create that capability within
23 Reddwerks?
24 A. I didn't create this. I
25 created -- I helped with the threshold

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1 process.
2 Q. Right.
3 And was one of the processes
4 you helped with the blocking orders of more
5 than 20 bottles of oxy 30? Right?
6 A. Yes. When I sent the e-mail.
7 Q. Right.
8 And was one of the other things
9 that you or someone on your team did was
10 alert AP of all pharmacies ordering more than
11 20 bottles of any item for follow-up?
12 A. AP was at the DC.
13 Q. Okay. So was there a system
14 put in place to alert the AP of all
15 pharmacies ordering more than 20 bottles of
16 any item for follow-up?
17 A. So I don't understand the
18 question, because AP is at the DC.
19 Q. Okay. So are you saying the DC
20 itself was supposed to review any item over
21 20 --
22 A. Correct.
23 Q. -- without -- let me just --
24 I'll strike that and I'll ask -- I'll strike
25 that. I should have -- I paused, and that's

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1 my fault.
 2 So is it your testimony that
 3 the DC itself was to perform this review of
 4 orders more than 20 bottles outside of the
 5 Reddwerks system?
 6 A. So the way that I read this is
 7 that AP -- that there was a report being
 8 initiated by the asset protection department,
 9 or the manager, so he was alerting all the
 10 other AP associates.
 11 I don't know. I mean, that's
 12 how I read this.
 13 Q. Okay. And so those alerts were
 14 occurring, but it didn't require you to
 15 change anything in Reddwerks; is that
 16 correct?
 17 A. I don't know if I did or
 18 didn't.
 19 Q. Okay. Could you have created
 20 an alert in Reddwerks for orders over 20 for
 21 other C-II items?
 22 A. I would have had to send an
 23 e-mail to Reddwerks support.
 24 Q. Right.
 25 But you could have done that if

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1 it was requested, right?
 2 A. Yes, I could have done that.
 3 Q. Reddwerks had the capability to
 4 do that, correct?
 5 A. They were the only ones.
 6 Q. And the e-mail that's forwarded
 7 to you that's written by Ms. Hiland, she
 8 writes, "For our call this afternoon: The
 9 outline of the program."
 10 Do you know what program she's
 11 referring to?
 12 A. No.
 13 Q. Do you know whether it's
 14 Walmart's suspicious order monitoring
 15 program?
 16 A. I don't know.
 17 Q. Did you attend this meeting?
 18 A. I don't recall.
 19 Q. You could have attended it; you
 20 just don't recall. Is that correct?
 21 A. I don't recall attending it.
 22 Q. Okay. If you see Theresa -- is
 23 it Alford? Alford?
 24 A. Alford.
 25 Q. -- Alford's e-mail to

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1 Mr. Harris and yourself.
 2 The first question on that
 3 e-mail is, was Mr. Harris your boss at the
 4 time?
 5 A. Yes.
 6 Q. Okay. And do you know who he
 7 reported to during this time period?
 8 A. I think it was David Wright.
 9 Dave Wright.
 10 Q. Okay. And did you report to
 11 anyone else other than Mr. Harris?
 12 A. No.
 13 Q. He notes in his e-mail to --
 14 sorry. Ms. Alford notes in her e-mail to
 15 Mr. Harris and yourself that "the DC will
 16 continue to cut any order over 20 for oxy 30.
 17 If a web form or emergency order that is
 18 called for in this item is over 20, the DC
 19 will also cut. The DC will forward that
 20 information to us, and we will inform the
 21 teams involved at the home office."
 22 Do you see that?
 23 A. I see that.
 24 Q. Okay. Were you involved in
 25 that process personally?

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1 A. I don't recall.
 2 Q. Well, there's only three people
 3 on this e-mail, right?
 4 A. Right.
 5 Q. Right.
 6 Do you recall involving people
 7 at the home office in this process?
 8 A. No.
 9 Q. Do you recall the DC forwarding
 10 any of this information to you?
 11 MS. FUMERTON: Objection.
 12 Form.
 13 THE WITNESS: I don't.
 14 QUESTIONS BY MR. BOWER:
 15 Q. It could be that Walmart never
 16 implemented this process, right?
 17 MS. FUMERTON: Objection.
 18 Form.
 19 QUESTIONS BY MR. BOWER:
 20 Q. You don't know one way or the
 21 other; isn't that correct?
 22 MS. FUMERTON: Objection.
 23 Form.
 24 MR. BOWER: I'll strike it.
 25

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1 QUESTIONS BY MR. BOWER:
2 Q. Do you know whether Walmart
3 ever implemented the process outlined here?
4 A. I don't know.
5 Q. It could be possible they never
6 actually implemented this process, right?
7 MS. FUMERTON: Objection.
8 Form.
9 THE WITNESS: I don't know.
10 QUESTIONS BY MR. BOWER:
11 Q. You don't recall making the
12 change in Reddwerks other than the oxy 30
13 reports, right?
14 MS. FUMERTON: Objection.
15 Form.
16 THE WITNESS: I don't recall.
17 QUESTIONS BY MR. BOWER:
18 Q. You don't recall making that
19 change at Reddwerks, right?
20 MS. FUMERTON: Objection.
21 Form.
22 THE WITNESS: I don't recall.
23 QUESTIONS BY MR. BOWER:
24 Q. Could be that change was never
25 made, right?

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1 MS. FUMERTON: Objection.
2 Form.
3 THE WITNESS: I don't recall.
4 QUESTIONS BY MR. BOWER:
5 Q. Okay. Could be that Walmart
6 outlined a process here they never actually
7 implemented; isn't that correct?
8 MS. FUMERTON: Objection.
9 Form.
10 THE WITNESS: I don't know.
11 QUESTIONS BY MR. BOWER:
12 Q. And you don't know one way or
13 the other, right?
14 A. Right.
15 Q. It appears to me here that
16 Walmart is designing a process where AP of
17 all pharmacy ordering -- where alerts are
18 created, right, for AP of all pharmacies
19 ordering more than 20 bottles, right? That's
20 the intention here?
21 MS. FUMERTON: Objection.
22 Form.
23 QUESTIONS BY MR. BOWER:
24 Q. Well, that's what it says,
25 right? It says, "Implementation of C-II

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1 order access and review."
2 Do you see that?
3 A. I see that.
4 Q. And then the second bullet
5 point says, "Alert AP all pharmacies ordering
6 more than 20 bottles," right?
7 A. Yes.
8 Q. And this was to be part of the
9 program as reflected in Ms. Hiland's e-mail,
10 right?
11 MS. FUMERTON: Objection.
12 Form.
13 THE WITNESS: Ask your
14 question.
15 QUESTIONS BY MR. BOWER:
16 Q. That's what Ms. Hiland writes,
17 right? "The outline of the program and
18 changes include," right?
19 A. That's what she writes, yes.
20 Q. So these were part of the
21 program, right?
22 MS. FUMERTON: Objection.
23 Form.
24 QUESTIONS BY MR. BOWER:
25 Q. According to Ms. Hiland, on

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1 Wednesday, July 25, 2012, these bullet points
2 were intended to be part of the program,
3 correct?
4 A. Yes.
5 Q. But we don't know whether
6 Walmart ever instituted that program, do we?
7 MS. FUMERTON: Objection.
8 Form.
9 THE WITNESS: I was not privy
10 to that, so...
11 QUESTIONS BY MR. BOWER:
12 Q. Do you have knowledge or
13 recollection of ever asking Reddwerks to
14 create an alert for an order of more than
15 20 bottles of C-II items?
16 MS. FUMERTON: Objection.
17 Form.
18 THE WITNESS: I don't recall.
19 QUESTIONS BY MR. BOWER:
20 Q. And you would have been the
21 person at Walmart with that responsibility,
22 correct?
23 A. Anybody could have e-mailed
24 that support hotline.
25 Q. Well, I thought you testified

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1 before that you were the contact for that
2 support; isn't that correct?
3 MS. FUMERTON: Objection.
4 Form.
5 QUESTIONS BY MR. BOWER:
6 Q. I'll strike that.
7 Who was the contact at Walmart
8 with Reddwerks?
9 MS. FUMERTON: Objection.
10 Form.
11 THE WITNESS: So for system
12 enhancements, I was.
13 QUESTIONS BY MR. BOWER:
14 Q. Okay. So --
15 A. But the DCs could directly call
16 or send an e-mail to that support line.
17 Q. Do you know whether they ever
18 did?
19 A. I don't know.
20 Q. Is that information -- strike
21 that.
22 If a DC had done that, someone
23 at the DC had done that, would you have been
24 notified of the change?
25 A. No.

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1 Q. Who would have been notified of
2 that change?
3 MS. FUMERTON: Objection.
4 Form.
5 THE WITNESS: I don't know.
6 QUESTIONS BY MR. BOWER:
7 Q. And how would someone at the DC
8 have known who to e-mail?
9 A. Because when they had system
10 issues, they would e-mail that same.
11 Q. And what kind of system issues
12 would they have?
13 A. If the server was down where
14 the orders would come in at, the lights
15 didn't work, that's typically what they would
16 see.
17 Q. So is it your testimony that
18 anyone at the DC had the capability to e-mail
19 or contact Reddwerks to change an order
20 threshold alert?
21 MS. FUMERTON: Objection.
22 Form.
23 THE WITNESS: I don't know if
24 they did or didn't. I know that they
25 had access to that e-mail.

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1 QUESTIONS BY MR. BOWER:
2 Q. My question is: Did anyone at
3 Walmart have that responsibility, or was it
4 simply anyone could do it?
5 MS. FUMERTON: Objection.
6 Form.
7 THE WITNESS: I don't know.
8 QUESTIONS BY MR. BOWER:
9 Q. Right.
10 You asked -- you asked
11 Reddwerks to create the oxy 30 alert, right?
12 A. I don't know if I did or
13 didn't.
14 Q. Well, let's go back to
15 Exhibit 2.
16 A. Okay.
17 Q. Okay? Because I think we
18 covered this, but I guess we have to go over
19 it again.
20 A. Okay.
21 Q. Okay?
22 Exhibit 2 is an e-mail from
23 yourself to the DC team, right?
24 A. Yes.
25 Q. And in that e-mail you state,

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1 "I will be sending Reddwerks on e-mail to
2 make the appropriate change to the order
3 level alert parameter screen."
4 Do you see that?
5 A. Yes.
6 Q. And why did you do that?
7 A. Because I was asked to.
8 Q. Why didn't Mr. Harris do it?
9 MS. FUMERTON: Objection.
10 Form.
11 THE WITNESS: I don't know.
12 QUESTIONS BY MR. BOWER:
13 Q. He asked you to do it, right?
14 A. Yes.
15 Q. Right?
16 Why didn't Mr. Sherl do it?
17 A. I don't know.
18 Q. Could Mr. Sherl have done it?
19 A. He could have.
20 Q. So Walmart would have allowed
21 Mr. Sherl or anyone else at the DC to contact
22 Reddwerks directly to change order
23 thresholds?
24 MS. FUMERTON: Objection.
25 Form.

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1 THE WITNESS: Yes.
2 QUESTIONS BY MR. BOWER:
3 Q. Did Walmart have any policies
4 and procedures preventing any of its
5 associates or any of its employees from
6 contacting Reddwerks directly to change order
7 thresholds?
8 MS. FUMERTON: Objection.
9 Form.
10 QUESTIONS BY MR. BOWER:
11 Q. I'll strike that.
12 Are you aware of any policies
13 and procedures at Walmart that would prevent
14 anyone from contacting Reddwerks directly to
15 change order thresholds for C-II items?
16 MS. FUMERTON: Objection.
17 Form.
18 THE WITNESS: I'm not -- I'm
19 not aware of any policies or
20 procedures for that specific...
21 QUESTIONS BY MR. BOWER:
22 Q. So to the best of your
23 knowledge then, anyone could have e-mailed
24 Reddwerks to change any thresholds for C-II
25 items at any time, right?

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1 MS. FUMERTON: Objection.
2 Form.
3 THE WITNESS: They would have
4 been a member of management, yes.
5 QUESTIONS BY MR. BOWER:
6 Q. How do you know it would have
7 been a member of management?
8 A. They would be the ones that
9 would e-mail Reddwerks if the system was
10 down.
11 Q. Well, what about the change of
12 order threshold? Couldn't anyone e-mail
13 Reddwerks?
14 A. Not that I'm aware of.
15 Q. What would be preventing them
16 from doing so?
17 MS. FUMERTON: Objection.
18 Form.
19 THE WITNESS: I don't know.
20 QUESTIONS BY MR. BOWER:
21 Q. Was there anything that you're
22 aware of at Walmart that would prevent anyone
23 from e-mailing Reddwerks to change an order
24 threshold for a C-II item?
25 MS. FUMERTON: Objection.

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1 Form.
2 THE WITNESS: No.
3 QUESTIONS BY MR. BOWER:
4 Q. In your dealings with
5 Reddwerks, did you ever discuss with them
6 that other folks shouldn't be able to change
7 the thresholds for C-II items?
8 MS. FUMERTON: Objection.
9 Form.
10 THE WITNESS: I don't recall
11 that.
12 QUESTIONS BY MR. BOWER:
13 Q. So if an hourly associate at DC
14 6045 e-mailed Reddwerks to change a C-II
15 threshold, nothing would have prevented that,
16 correct?
17 MS. FUMERTON: Objection.
18 Form. Misstates prior testimony.
19 QUESTIONS BY MR. BOWER:
20 Q. I'll strike that.
21 Would anything have prevented
22 an hourly associate at DC 6045 from e-mailing
23 Reddwerks and changing a threshold for a C-II
24 item?
25 A. They could have e-mailed, but

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1 it wouldn't necessarily mean that they would
2 have done it.
3 Q. And who wouldn't have done it?
4 A. Reddwerks.
5 Q. Why not?
6 A. Because if it wasn't a contact
7 that they were familiar with, they wouldn't
8 have done it.
9 Q. And why not?
10 A. I don't know.
11 Q. And how do you know that?
12 A. Just the relationship I had
13 with them.
14 Q. So based on your relationship
15 with Reddwerks, they wouldn't have changed an
16 order threshold for a C-II item if it didn't
17 come from someone they were familiar with; is
18 that correct?
19 A. That's correct.
20 Q. And who were they familiar with
21 other than yourself?
22 A. Some of the DC managers.
23 Q. And who were those?
24 A. Jimmie, Jeff, Stephanie, Arlin,
25 Shawn. I'm trying to think of others in the

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1 other buildings. Some of the managers that
2 were already left, Jan.
3 Q. And all of these folks had the
4 ability to e-mail Reddwerks directly to
5 change a C-II threshold; is that your
6 testimony?
7 MS. FUMERTON: Objection.
8 Form.
9 THE WITNESS: Not a C-II.
10 QUESTIONS BY MR. BOWER:
11 Q. Okay. Who were the folks that
12 would have been capable of changing a C-II
13 threshold?
14 A. Jimmie and Jeff, that
15 management staff there.
16 Q. Anyone other than Jimmie and
17 Jeff?
18 A. Whoever else was there. Mike.
19 Q. Anyone else?
20 A. Not that I can think of.
21 Q. So if Jimmie or Jeff or Mike or
22 yourself never e-mailed Reddwerks to create
23 the order alerts for more than 20 bottles of
24 a C-II, was it done?
25 MS. FUMERTON: Objection.

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1 Form.
2 QUESTIONS BY MR. BOWER:
3 Q. I want you to assume that
4 neither you, Jimmie, Jeff or Mike asked
5 Reddwerks to create those alerts for C-II
6 items of over 20.
7 Okay?
8 A. You want me to assume that?
9 Q. Yes. Because we don't have any
10 records that that occurred.
11 So that should be your
12 assumption. Okay?
13 MS. FUMERTON: Objection.
14 Form. And I object to the --
15 QUESTIONS BY MR. BOWER:
16 Q. You can answer.
17 MS. FUMERTON: -- testimony of
18 counsel.
19 THE WITNESS: No. No, they
20 could have called as well.
21 QUESTIONS BY MR. BOWER:
22 Q. So is it your testimony that
23 Mr. Sherl could have called Reddwerks to
24 change an order alert for a C-II item?
25 A. Yes.

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1 Q. And Walmart had nothing to
2 prevent that; is that correct?
3 Walmart had no policies in
4 place to prevent such an action, correct?
5 MS. FUMERTON: Objection.
6 Form.
7 THE WITNESS: I don't recall
8 that we had a policy for that.
9 QUESTIONS BY MR. BOWER:
10 Q. Do you have any reason as you
11 sit here today to expect that even though you
12 were the one to create the oxy 30 alert, it
13 would have been someone else to do the over
14 20 alert?
15 MS. FUMERTON: Objection.
16 Form.
17 THE WITNESS: Ask your question
18 again?
19 QUESTIONS BY MR. BOWER:
20 Q. Sure, I'll rephrase.
21 Going back to Exhibit 4, right,
22 we see "alert AP of all pharmacies ordering
23 more than 20 bottles," right --
24 A. Yes.
25 Q. -- going back to that bullet

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1 point?
2 I'm just trying to understand,
3 based on your experience and your
4 relationship with Reddwerks, whether that
5 alert was ever created.
6 A. For all others?
7 Q. Yes.
8 This is in relation to the
9 implementation of the C-II order exception
10 review, right? This is for C-II items,
11 right?
12 A. Yes.
13 Q. Okay. So I'm just trying to
14 understand, based on your relationship with
15 Reddwerks and the fact that you are the one
16 who notified them of the oxy 30 threshold,
17 was the alert for more than 20 bottles ever
18 created in Reddwerks?
19 MS. FUMERTON: Objection.
20 Form.
21 THE WITNESS: For the oxy 30?
22 Yes.
23 QUESTIONS BY MR. BOWER:
24 Q. No, for the other C-II items.
25 A. I don't know.

<p style="text-align: right;">Page 154</p> <p>1 Q. And if you don't know, who 2 would know the answer to that question? 3 A. I don't know. 4 Q. Did you ever attend any 5 meetings with the DEA? 6 A. I've attended when they've come 7 to the D -- some DCs if I were -- if I was 8 already there. 9 Q. Did you ever attend any 10 meetings where the abuse of oxy was 11 discussed? 12 A. No. 13 Q. Did you ever attend any 14 meetings where the abuse of opioids was 15 discussed? 16 A. No. 17 Q. Did you ever attend any 18 meetings where diversion of opioid products 19 was discussed? 20 A. No. 21 Q. Are you involved in any way 22 with any NACDS? 23 A. I attended some NACDS 24 conferences for serialization. 25 Q. And what is serialization?</p>	<p style="text-align: right;">Page 156</p> <p>1 where a specific bottle has been in order to 2 move it to. 3 Q. Other than this work on 4 serialization, have you been on other 5 communications with NACDS? 6 A. No, just serialization. 7 Q. When did you start being 8 included on NACDS communications? 9 A. For serialization, I believe 10 it's like 2010. 11 Q. My question isn't limited to 12 serialization. So I'm just asking more 13 generally: When did you start being included 14 on any NACDS communications? 15 A. 2010. I don't know. 16 Q. And is it your testimony that 17 every communication you've been a part of 18 with NACDS relates to serialization issue? 19 A. Yes. 20 Q. What is KNAPP, K-N-A-P-P? 21 A. KNAPP. It's an order-filling 22 system. 23 Q. Did Walmart ever use that 24 system? 25 A. Yes.</p>
<p style="text-align: right;">Page 155</p> <p>1 A. So it's the track and trace of 2 product, pharmaceutical products. 3 Q. What do you mean by track and 4 trace? What does that mean? 5 A. So it's -- it's a law that was 6 passed in 2013, and it's called a Drug Supply 7 Chain Security Act. It's an iterated law, so 8 the first phase of that law is to track 9 product from the manufacturer. So once it's 10 introduced into commerce, the manufacturers 11 have a responsibility to provide transaction 12 history, transaction data -- or excuse me, 13 transaction information and transaction 14 statement. 15 So the first phase was rolled 16 out in 2015, and then there's other deadlines 17 that have to be met. So in 2018 they have to 18 affix a 2D barcode to product, and in 2019 19 they -- wholesalers can only accept product 20 that is -- they have an invoice for. 21 And then in 2020, the 22 pharmacies can only accept product that has 23 the 2D barcode affixed to it. And then in 24 2023 they do full-blown serialization, which 25 is you have to be able to have -- to know</p>	<p style="text-align: right;">Page 157</p> <p>1 Q. When did it begin using that 2 system? 3 A. So it was before my time that I 4 came to the team. Then I believe it was 5 installed at warehouse 6001 in 2004, 2005. 6 Q. Was it only installed at that 7 warehouse? 8 A. Yes. 9 Q. Is there any -- based on your 10 experience, is there any reason why it was 11 only used at that warehouse? 12 A. I have no idea. 13 Q. Do you know whether it ever 14 stopped being used at that warehouse? 15 A. It's still being used. 16 Q. So is it in addition to the 17 Reddwerks system? 18 A. Yes. 19 Q. Can you just describe very 20 generally, to the best of your knowledge, how 21 that KNAPP system differs from Reddwerks? 22 A. It's an A-frame base system. 23 Q. And what do you mean by that? 24 A. So they have channels where 25 they put the product into. Then as an order</p>

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1 is scanned -- so the box has a barcode with
2 store order -- with the store number. So as
3 it scans it, it dispenses -- kind of like a
4 Pez dispenser, upside down -- dispenses that
5 product onto a belt. So each store has like
6 six feet of that belt, and then it takes it
7 and puts it into the box.
8 Q. And that system was never in
9 place at 6045; is that correct?
10 A. That's correct.
11 (Walmart-Sullins Exhibit 5
12 marked for identification.)
13 QUESTIONS BY MR. BOWER:
14 Q. Okay. You've been handed
15 what's marked as Exhibit 5, which is another
16 e-mail regarding at least in part the C-II
17 item level alerts. This is a few days after
18 Exhibit 4.
19 Just take a moment -- it's just
20 a one-page e-mail -- and let me know when
21 you've finished reviewing it.
22 A. Okay. Okay.
23 Q. Okay. Who is Bryan Boudreaux?
24 Boudreaux?
25 A. Boudreaux?

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1 Q. Boudreaux?
2 A. He's the -- he was Tim's boss.
3 Q. Okay.
4 A. He's the VP.
5 Q. And he writes to Bryan, "Here's
6 is the weekly recap to the health and
7 wellness network."
8 Do you see that?
9 A. Yes.
10 Q. What does that refer to, the
11 health and wellness network?
12 A. So it's all the distribution
13 centers.
14 Q. And only included on here
15 are -- the e-mail from Nick are Mr. Harris,
16 Mr. Boudreaux, yourself and Karla Hayes, and
17 then cc Theresa Alford, correct?
18 A. Yes.
19 Q. So other than the folks on this
20 e-mail, was there anyone involved in the
21 health and wellness network?
22 MS. FUMERTON: Objection.
23 Form.
24 THE WITNESS: So this is a
25 recap of the week.

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1 QUESTIONS BY MR. BOWER:
2 Q. Uh-huh.
3 A. So there would be others that
4 would be involved.
5 Q. Who else would be involved?
6 MS. FUMERTON: Objection.
7 Form.
8 THE WITNESS: In the recap?
9 QUESTIONS BY MR. BOWER:
10 Q. No, in the health and wellness
11 network. I'm just trying to understand what
12 that means.
13 A. So it's the distribution
14 centers plus the optical center.
15 Q. Okay. So why are you included
16 on this e-mail?
17 A. Because it's a recap of the
18 week, of what was done.
19 Q. But why are you included on it?
20 A. Because I'm part of that team.
21 Q. Part of the health and wellness
22 team?
23 A. Yes.
24 Q. And what was your role on that
25 team?

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1 A. So it was -- I'm a senior
2 manager on the health and wellness logistics
3 team.
4 Q. Okay. So what role did you
5 play?
6 A. What was --
7 Q. During this time period,
8 July 2012.
9 A. I was a senior manager on the
10 health and wellness logistics team.
11 Q. Okay.
12 A. So I had system enhancements
13 responsibility and day-to-day
14 responsibilities.
15 Q. Other than system enhancements,
16 what were your day-to-day responsibilities?
17 A. Just questions that came up
18 such as, this purchase order is canceled; can
19 you help fix it? We're having an issue with
20 this screen; can you take a look at it?
21 Those -- that was some of the stuff I did. I
22 did other system projects.
23 Q. What about the project here
24 noted at bullet point 2 where it says, "DC
25 6045, C-II, continues to work on a solution

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1 for the C-II item alerts that can be --
2 can/could be requested by the DEA."
3 Did you work on that solution?
4 A. No.
5 Q. Who worked on that solution?
6 A. I don't know.
7 Q. Well, there's only a few folks
8 here, right?
9 I'm trying to understand some
10 facts about how Walmart worked. Okay?
11 So is it your testimony that
12 you don't know who would have worked on that
13 solution?
14 A. That is my testimony. I don't
15 know who would have worked on it.
16 Q. But it wasn't you?
17 A. No, it was not me.
18 Q. Was it Mr. Harris?
19 A. I don't know.
20 Q. Other than you, who worked on
21 system enhancements?
22 A. So I would partner with other
23 ISD people.
24 Q. Okay. Let me rephrase the
25 question.

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1 Other than you, who within the
2 health and wellness network would work on
3 system enhancements?
4 A. So I did the logistics. There
5 was a different team that did the stores.
6 Q. What do you mean by
7 "logistics"? Are you referring to the --
8 A. Just the distribution centers.
9 Q. The distribution centers?
10 A. Yes.
11 Q. All right. So it appears here
12 that distribution center 6045 is working on a
13 solution to level alerts.
14 I understand that wasn't you?
15 A. That was not me.
16 Q. Why would that not have been
17 you? Wouldn't that have been your core
18 responsibility?
19 MS. FUMERTON: Objection.
20 Form.
21 THE WITNESS: I don't know what
22 this is referring to because it's not
23 a system.
24 QUESTIONS BY MR. BOWER:
25 Q. I thought level alerts refers

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1 to Reddwerks system that you had a major role
2 in choosing and implementing. Isn't that
3 correct?
4 MS. FUMERTON: Objection.
5 Form.
6 THE WITNESS: So the initial
7 portion of that, yes. The rollout of
8 the threshold files and then the
9 enhancement to that, yes, that would
10 have been me.
11 But I don't know what this
12 is -- this isn't -- I don't know what
13 this is referring to.
14 QUESTIONS BY MR. BOWER:
15 Q. Well, it says what it's
16 referring to, doesn't it? It says, "DC 6045,
17 C-II, continues to work on a solution for the
18 C-II item level alerts," right?
19 A. Right.
20 Q. That refers to the oxy 30
21 alert, right?
22 MS. FUMERTON: Objection.
23 Form. Lack of foundation.
24 QUESTIONS BY MR. BOWER:
25 Q. Well, do you know whether that

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1 refers to the oxy 30 alerts that you helped
2 create?
3 A. I don't know if it's referring
4 to that.
5 Q. Well, who would know?
6 If you were the person at the
7 health and wellness who was responsible for
8 system enhancements and you don't know, who
9 would?
10 MS. FUMERTON: Objection.
11 Form.
12 THE WITNESS: I mean, I don't
13 know. I mean, it could have been
14 anybody that's on this or somebody
15 that was on this that was working with
16 somebody else. I don't know.
17 QUESTIONS BY MR. BOWER:
18 Q. Who would know the answer to
19 that question?
20 MS. FUMERTON: Objection.
21 Form. Asked and answered.
22 THE WITNESS: I don't know.
23 QUESTIONS BY MR. BOWER:
24 Q. The next sentence in that
25 bullet point says, "Any unusual orders on oxy

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1 items are being elevated to the home
2 office/regulatory affairs/store operations
3 and H and W diversion team."
4 Do you see that?
5 A. Yes.
6 Q. Do you know what that refers
7 to?
8 A. No. I mean, I'd be speculating
9 what that refers to.
10 Q. Well, what is your -- based on
11 your experience working at Walmart in the
12 systems operations for ten-plus years, what
13 would be your guess?
14 A. That would have been the report
15 that he was putting together.
16 Q. The over 20 report for C-II,
17 right?
18 A. Correct.
19 Q. I'm not trying to play -- I'm
20 just trying to get some information. Okay?
21 So do you know -- so we talked
22 about folks at the home office who might have
23 received those reports, right?
24 A. (Witness nods head.)
25 Q. Are you familiar with anyone at

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1 regulatory affairs who would have received
2 those reports?
3 A. I believe Susanne Hilander
4 {sic} was in regulatory compliance at that
5 time.
6 Q. Okay. And then what about
7 stores operations; do you know what that
8 refers to?
9 A. That would have been the market
10 directors, and I believe Brandon was in store
11 operations at that time.
12 Q. And those folks have oversight
13 over the pharmacies, correct?
14 A. Correct.
15 Q. Okay. And then about the H and
16 W and diversion team?
17 Do you see that?
18 A. Yes.
19 Q. Do you know what that refers
20 to?
21 A. There's another team that's
22 part of compliance that's called the
23 diversion team.
24 Q. And that's health and wellness,
25 correct?

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1 A. Correct.
2 Q. You were a member of the health
3 and wellness team, right?
4 MS. FUMERTON: Objection.
5 Form.
6 THE WITNESS: Not -- only in
7 logistics.
8 QUESTIONS BY MR. BOWER:
9 Q. Okay. Do you know who during
10 this time period was on the health and
11 wellness diversion team?
12 A. I believe Greg Beam was.
13 Q. Did you ever work with Greg?
14 A. He was the individual that sent
15 that note to Tim.
16 Q. Right.
17 So, yes, you've worked with
18 Greg on occasion; is that correct?
19 A. Yes.
20 Q. Other than the note we've
21 already saw, do you have any recollection --
22 or we saw today, do you have any recollection
23 of working with Greg?
24 A. Yes.
25 Q. And what did you work with him

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1 on?
2 A. On pulling some reports for --
3 for orders -- like correctional invoices. So
4 his team did diversion, and I would work with
5 them to -- to understand what it is that they
6 were needing from the DC.
7 Q. Why would he come to you for
8 those sorts of issues?
9 A. Because of -- knowing that I
10 knew how the order came in and the fact that
11 I have a systems background.
12 Q. Can we just talk about that for
13 a moment? Because it sounds like a lot of
14 your responsibilities did deal with systems.
15 What type of background did you
16 have?
17 A. It was more of on-the-job
18 experiences for whatever system was running.
19 Q. And those were limited to your
20 experiences at Walmart, correct?
21 A. Yes.
22 Q. Did you ever receive any
23 specific training with respect to systems,
24 databases, things like that?
25 A. Some training at DC level, and

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1 then a little bit of training when we were --
2 Matt came to the home office for Teradata
3 queries and stuff like that.
4 Q. Were you specifically trained
5 in how to run Teradata queries?
6 A. Only for the invoice table and
7 the PO table.
8 Q. And what specifically were you
9 trained to do?
10 How were you instructed to run
11 those queries?
12 A. So it was just if I wanted to
13 look at what a store was invoiced for, I
14 could use a query that somebody built and run
15 it. Or if I wanted to look at purchase
16 orders, past purchase orders, that came into
17 the DC, somebody else had built a query, so
18 they'd share it.
19 Q. So you wouldn't be the one to
20 build the query; is that correct?
21 A. No.
22 Q. And who would build those
23 queries for the Teradata system?
24 A. Multiple people.
25 Q. Who were some of the people you

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1 would have contacted to do that work?
2 A. I would have contacted somebody
3 in ISD.
4 Q. Do you recall any of those
5 folks' names?
6 A. Flynn would be one of those. I
7 don't know what Flynn's last name is.
8 Sometimes I would just e-mail a
9 distribution list of people.
10 Q. Flynn at e-t-t-i-e-n-n-e?
11 A. Yes.
12 Q. What about Kie Boyett; is he at
13 Walmart? K-i-e, B-o-y-e-t-t?
14 A. He was. I don't know if he
15 still is.
16 Q. Would he have been one of the
17 persons you would contact to run -- to create
18 those queries?
19 A. I don't know that I would use
20 him for that.
21 Q. Primarily you would use Flynn?
22 A. Primarily.
23 Q. Okay. What about P-r-a-b-h-u,
24 and then his last name is M-u-t-h-a-i-y-a-n?
25 Does that name ring a bell?

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1 A. No.
2 Q. Maybe possibly at Reddwerks?
3 A. No, I don't know.
4 Q. Okay. Lynn Cress, C-r-e-s-s?
5 A. Yes.
6 Q. Who is Lynn Cress?
7 A. He worked in logistics systems.
8 Q. At Walmart?
9 A. Uh-huh.
10 Q. Do you know why you be
11 e-mailing Lynn about 405 reports?
12 A. That was probably when they
13 didn't trigger to run or something.
14 Q. And then I know I asked you
15 this already; I just want to confirm your
16 testimony.
17 Do you ever recall meeting with
18 the DEA?
19 A. No, I don't recall meeting with
20 them.
21 Q. Do you ever recall explaining
22 to the DEA issues with ARCOS?
23 A. Yes.
24 Q. Okay. So would you like to
25 change your testimony?

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1 MS. FUMERTON: Objection.
2 Form. It's -- I -- there's no
3 testimony to change, but go ahead.
4 THE WITNESS: I didn't recall
5 meeting with them.
6 QUESTIONS BY MR. BOWER:
7 Q. Do you recall now meeting with
8 them?
9 A. Now that you brought up the
10 ARCOS errors, yes.
11 Q. So other than me bringing up a
12 specific example, your answer would be that
13 you do not recall, right?
14 MS. FUMERTON: Objection.
15 Misstates the prior testimony.
16 THE WITNESS: That's correct.
17 MR. BOWER: We can take a
18 break.
19 VIDEOGRAPHER: Going off the
20 record at 10:54 a.m.
21 (Off the record at 10:54 a.m.)
22 VIDEOGRAPHER: We're back on
23 the record at 11:06 a.m.
24 QUESTIONS BY MR. BOWER:
25 Q. Okay. We're back on the

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1 record. I just wanted to talk a minute,
 2 ma'am, about the oath that you've taken
 3 today.
 4 Okay?
 5 A. Yes.
 6 Q. You understand the nature of
 7 that oath?
 8 A. Yes.
 9 Q. You understand that your
 10 obligation is to tell the whole truth and
 11 nothing but the truth? Do you understand
 12 that?
 13 A. Yes.
 14 Q. So, for example, when you say
 15 you don't remember, you have to have a basis
 16 for that statement.
 17 Do you understand that?
 18 MS. FUMERTON: Objection to the
 19 instruction and the question.
 20 THE WITNESS: I understand
 21 that.
 22 QUESTIONS BY MR. BOWER:
 23 Q. And so, for example, when I
 24 asked you multiple times about whether you
 25 met with the DEA, your immediate response was

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1 that, no, you didn't recall anything, right?
 2 MS. FUMERTON: Objection to the
 3 form and misstates the testimony,
 4 because you asked the question, she
 5 went back to look, and she
 6 specifically said that she met with
 7 the DEA when they came to do
 8 inspections at the DC facilities on
 9 occasion.
 10 So you're misstating her --
 11 yes, it is absolutely what she said.
 12 MR. BOWER: I appreciate your
 13 speaking objection, but I would also
 14 ask that you refrain from those in the
 15 future.
 16 MS. FUMERTON: Well, I would
 17 ask that you refrain from
 18 mischaracterizing the witness'
 19 testimony.
 20 MR. BOWER: There's a reason
 21 that you're only allowed for speaking
 22 objections. I would just ask you to
 23 abide by that obligation.
 24 MS. FUMERTON: You also have an
 25 obligation not to misrepresent the

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1 record.
 2 MR. BOWER: And that's why
 3 you're free to make an objection.
 4 Right?
 5 So you're free to make your
 6 objections, but I would appreciate if
 7 you didn't have speaking objections.
 8 MS. FUMERTON: You're the one
 9 that's keeping talking right now.
 10 QUESTIONS BY MR. BOWER:
 11 Q. Ma'am, I asked you, "Do you
 12 ever recall meeting with the DEA?" and your
 13 answer was, "No, I don't recall meeting with
 14 them."
 15 Do you recall that testimony?
 16 A. I do now.
 17 Q. Is that testimony accurate?
 18 A. No, I misspoke.
 19 Q. Okay. How many times have you
 20 met with the DEA?
 21 A. I don't know exactly how many
 22 times. I was present at some of the
 23 inspections at the DC. I recall that meeting
 24 that you informed me about with the ARCOS
 25 errors, and I did speak to the DEA ARCOS

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1 office.
 2 Q. Do you know what ARCOS is?
 3 A. Yes.
 4 Q. What is ARCOS?
 5 A. Sales and purchases.
 6 Q. Do you know whether Walmart
 7 reports information to the DEA?
 8 A. Yes.
 9 Q. Do you know how Walmart reports
 10 that information?
 11 A. They report it monthly.
 12 Q. And who creates the reports?
 13 A. It's created through a job in
 14 the system, so it's an automatic report that
 15 gets put on a server. We take that data and
 16 upload it into the DEA's website.
 17 Q. And who has the responsibility
 18 at Walmart to physically do the uploading of
 19 the data?
 20 A. There was an individual on our
 21 team that did that.
 22 Q. And what was that individual's
 23 name?
 24 A. It was -- when I started on the
 25 team, it was Brenda Glenn. Then it was Sarah

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1 Eisler. And it was Kelsey Clark.
2 Q. And at some point, Walmart
3 became aware that the information that was
4 being provided to the DEA was inaccurate; is
5 that correct?
6 MS. FUMERTON: Objection.
7 Form. No foundation.
8 THE WITNESS: It wasn't
9 inaccurate. It was missing some data.
10 QUESTIONS BY MR. BOWER:
11 Q. What's the difference between
12 inaccurate and missing data in your mind?
13 A. Well, the information that was
14 provided, the quantities and who it was
15 shipped to, was correct. It was -- the CSOS
16 order ID was missing.
17 Q. So is information -- or data
18 that's missing information accurate?
19 MS. FUMERTON: Objection.
20 Form.
21 THE WITNESS: The data was
22 correct. It was the missing
23 information.
24 QUESTIONS BY MR. BOWER:
25 Q. So I just want to be clear so

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1 that I understand what your testimony is.
2 Is it your testimony that the
3 data that was being provided was correct but
4 that it wasn't complete?
5 A. It was not complete.
6 Q. What does DVP stand for?
7 A. DVP? Divisional vice
8 president.
9 Q. Did you attend those meetings?
10 MS. FUMERTON: Objection.
11 Form.
12 QUESTIONS BY MR. BOWER:
13 Q. Did you attend -- I'll strike
14 that.
15 Did you attend DVP meetings?
16 A. I attended some meetings. I
17 didn't stay for the entire time.
18 Q. What was the reason for your
19 attendance at DVP meetings?
20 A. To provide an update for the
21 previous week's workload.
22 Q. And what would you provide an
23 update on? What types of things?
24 A. So where our, like, pier
25 processing was, did we have any late arrivals

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1 to the stores due to storms or systems, if we
2 had significant downtime at the distribution
3 center, if it was either mechanical or
4 system.
5 Q. Are you done?
6 A. Yeah.
7 Q. Okay. Did you ever provide
8 updates on issues related to Walmart's
9 suspicious order monitoring policy in any
10 way?
11 MS. FUMERTON: Objection.
12 Form.
13 THE WITNESS: I did not.
14 (Walmart-Sullins Exhibit 6
15 marked for identification.)
16 QUESTIONS BY MR. BOWER:
17 Q. Okay. You've been handed
18 what's been marked as Exhibit 6. Take a
19 moment. It's an e-mail with the attachment.
20 The e-mail is from Mr. Tallman to Timothy
21 Harris, yourself and Theresa Alford.
22 A. Yes.
23 Q. Okay?
24 And I have some questions on
25 the PowerPoint slides, the first of which is,

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1 who puts these together?
2 But take your time to review it
3 and then -- before answering the question.
4 It looks like there's maybe two copies of the
5 document --
6 MS. FUMERTON: I was just
7 trying to figure out if that was
8 supposed to be the case, or was it --
9 MR. BOWER: I don't think so,
10 but I think they're also identical, so
11 I don't know if it's...
12 MS. FUMERTON: It looks like
13 from the attachments --
14 MR. BOWER: There's only one,
15 right?
16 MS. FUMERTON: This should be
17 only one.
18 MR. BOWER: Yeah. So we can
19 either pull it out or --
20 MS. FUMERTON: Why don't we
21 pull it out.
22 MR. BOWER: -- investigate.
23 Yeah. Okay.
24 MS. FUMERTON: At a break,
25 we'll just double-check. We'll do a

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1 comparison.
2 MR. BOWER: Yes, that's --
3 either way is fine. I don't have any
4 questions on the second one anyways
5 because that would have been my
6 assumption, so...
7 And we can remove yours at the
8 break --
9 MS. FUMERTON: Okay.
10 MR. BOWER: -- so we don't have
11 to worry about it now.
12 QUESTIONS BY MR. BOWER:
13 Q. So I just want to know, it's
14 some general questions about these slides and
15 whether you were at least partially
16 responsible for preparing them.
17 A. I don't recall preparing them.
18 Q. Okay. Do you know who did
19 prepare them?
20 A. It would have been Nick
21 Tallman.
22 Q. What was his role at this time;
23 do you know?
24 A. He was the same as I was. I
25 was a senior manager; he was a senior

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1 manager.
2 Q. Did he have different
3 responsibilities than you?
4 A. Yes.
5 Q. What were his responsibilities?
6 A. More strategic initiatives. He
7 reviewed the P&Ls. He did some day-to-day
8 stuff as well. He also did some flow
9 processes.
10 Q. What P&Ls did he review?
11 A. All the distribution centers.
12 Q. Each distribution center had
13 its own P&L?
14 A. Yes.
15 Q. How often would he review
16 those; if you know?
17 A. I don't know how often. I know
18 that we had a P&L maybe once a month.
19 Q. Would he discuss the
20 distribution P&Ls at those meetings?
21 A. Yes.
22 Q. What types of things would he
23 discuss, just generally?
24 A. What the total expenses were
25 and what our units per hour was, cost per

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1 pick shipped.
2 Q. So Walmart monitored all that
3 data; is that correct?
4 A. We did, yes.
5 Q. And for what reason did he
6 review those P&Ls?
7 MS. FUMERTON: Objection.
8 Form.
9 THE WITNESS: I don't know. It
10 was just part of the business.
11 QUESTIONS BY MR. BOWER:
12 Q. Was it to make sure that they
13 were profitable?
14 MS. FUMERTON: Object to form.
15 QUESTIONS BY MR. BOWER:
16 Q. Well, you attended these
17 meetings where they were discussed, right?
18 A. Attended some of them, yes.
19 Q. All right. Did Mr. Tallman
20 ever discuss the profitability of the DCs?
21 A. No, he just talked about the
22 expenses and the percents to sales.
23 Q. Sorry. You said percent to
24 sales?
25 A. Yes.

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1 Q. What does that mean?
2 A. So it's some calculation of
3 what the sales were and total expenses,
4 divided by total expenses.
5 Q. And how does a DC have sales?
6 A. So it's not really a sale, it's
7 just a -- an accounting, so it's based on
8 what the cost is of the drug.
9 Q. And what is your understanding
10 as to why Mr. Tallman review these P&Ls?
11 A. To look at what our expenses
12 were.
13 Q. And why was that important to
14 the health and wellness folks?
15 A. Because you would want to
16 reduce your expenses.
17 Q. And why do you want to do that?
18 A. Because -- for profit in the
19 company.
20 Q. Okay. And was that part of the
21 role of health and wellness, was to reduce
22 the expenses at the DCs?
23 A. That was some of the role, yes.
24 Q. And how would you go about
25 doing that?

<p style="text-align: right;">Page 186</p> <p>1 A. Implementing systems to help 2 that process. Keeping our maintenance on 3 conveyors up to date so that it didn't cause 4 downtime that you were sitting there. 5 Maintaining any -- you know, a preventive 6 maintenance on the equipment. 7 Q. Do you recall anything that was 8 done at DC 6045 to reduce expenses? 9 A. No, I don't recall anything 10 specific that we did to reduce expenses. 11 Q. And did the health and wellness 12 group have its own P&L? 13 MS. FUMERTON: Objection. 14 Form. 15 THE WITNESS: It's a broad 16 question. I don't -- I'm not sure I 17 understand what you're asking. 18 QUESTIONS BY MR. BOWER: 19 Q. Well, did the folks on your 20 team, Mr. Tallman, Mr. Harris, yourself, 21 Ms. Alford, have their own kind of P&L 22 statements they looked at to determine 23 whether they were successful in increasing 24 profitability? 25 MS. FUMERTON: Objection.</p>	<p style="text-align: right;">Page 188</p> <p>1 information was on there, but it was 2 for all DCs. It wasn't for a specific 3 DC or anything like that. It was 4 overall. 5 QUESTIONS BY MR. BOWER: 6 Q. Right. 7 And the overall performance 8 would impact your review, correct? 9 MS. FUMERTON: Objection. 10 Form. 11 THE WITNESS: No, I don't 12 believe it would. 13 QUESTIONS BY MR. BOWER: 14 Q. You don't believe that the 15 profitability, overall profitability, of the 16 DCs, impacted your reviews? 17 MS. FUMERTON: Objection. Form 18 and lack of foundation. 19 THE WITNESS: No. 20 QUESTIONS BY MR. BOWER: 21 Q. What did impact your reviews? 22 A. Not -- not doing a project or 23 not completing a project in time. That's 24 what would impact my review. 25 Q. Anything else?</p>
<p style="text-align: right;">Page 187</p> <p>1 Form. 2 THE WITNESS: No, it was the 3 DCs' P&L. 4 QUESTIONS BY MR. BOWER: 5 Q. But I'm trying -- I'm just 6 trying to understand why this was part of 7 the -- your role at health and wellness and 8 Mr. Tallman's role. Why was this being 9 discussed? 10 A. It was part of business. I 11 mean, we discussed that with all the DCs. 12 Q. Okay. Was part of your -- 13 strike that. 14 Was the success of your team at 15 health and wellness in part determined by the 16 profitability of the DCs? 17 MS. FUMERTON: Objection. 18 Form. Lack of foundation. 19 QUESTIONS BY MR. BOWER: 20 Q. In other words, in your annual 21 reviews, did the folks look at whether the 22 DCs were profitable? 23 MS. FUMERTON: Objection. 24 Form. 25 THE WITNESS: The P&L</p>	<p style="text-align: right;">Page 189</p> <p>1 A. If we had violations at DC 2 level, which we never did have violations 3 when the DEA inspection or state Boards of 4 Pharmacy came through. So that would impact 5 it. 6 Q. Anything else? 7 A. There was other categories on 8 there. I don't know all of them. 9 Q. Going back to Exhibit 6, turn 10 your attention to page 2 of the PowerPoint. 11 See where it says on the top, 12 "RX supply chain controlled substance 13 monitoring"? 14 Do you see that? 15 A. Yes. 16 Q. Do you see -- do you know what 17 all of these statements here refer to? 18 For example, "Cardinal Health 19 settles drug distribution case." Do you know 20 what that refers to? 21 A. No. 22 Q. No? 23 What about the last one, 24 "McKesson to pay 13 million for failure to 25 report suspicious drug activity"? Do you</p>

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1 know what that refers to?
2 A. Suspicious drugs.
3 Q. Do you know what that refers
4 to?
5 A. No.
6 Q. Do you know whether that refers
7 to the distribution of opioid products?
8 A. I don't know.
9 Q. Do you know whether the one
10 above that, where it notes "DEA serves a
11 suspension order on Walgreens distribution
12 center in Jupiter, Florida," do you know what
13 that refers to?
14 A. No.
15 Q. Do you know what any of these
16 refer to?
17 A. No, I didn't read any of these.
18 Q. So Nick sends this to
19 Mr. Harris, yourself and Ms. Alford, right?
20 And you didn't read it?
21 A. Well, I -- I don't recall
22 reading it, but I'm reading it now.
23 Q. You don't recall asking, hey,
24 Nick, what are all of these about?
25 A. No, I don't recall doing that.

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1 Q. Why wouldn't you have done
2 that? Wouldn't you have been curious as to
3 why these were there?
4 MS. FUMERTON: Objection.
5 Form.
6 THE WITNESS: It's information
7 pulled from the websites.
8 QUESTIONS BY MR. BOWER:
9 Q. Well, why is he including this
10 information on this PowerPoint?
11 MS. FUMERTON: Objection.
12 Form.
13 THE WITNESS: I don't know.
14 QUESTIONS BY MR. BOWER:
15 Q. Didn't affect what you were
16 doing, so it didn't matter, right?
17 A. It was not part of my
18 responsibility, no.
19 Q. Okay. Anything on here part of
20 your responsibility?
21 MS. FUMERTON: Objection.
22 Form.
23 Are you talking entire
24 presentation?
25

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1 QUESTIONS BY MR. BOWER:
2 Q. Anything in this PowerPoint
3 part of your responsibility?
4 A. I can look.
5 Q. I mean, this is a PowerPoint
6 put together by your team, right?
7 MS. FUMERTON: Well, you asked
8 a question, so she needs to look.
9 MR. BOWER: Well, I'll strike
10 that question.
11 QUESTIONS BY MR. BOWER:
12 Q. This is a PowerPoint put
13 together by your team, right?
14 MS. FUMERTON: Objection.
15 Form.
16 THE WITNESS: The team I was
17 on, yes.
18 QUESTIONS BY MR. BOWER:
19 Q. Right. And there's how many on
20 this team?
21 There appears to be one, two,
22 three, four people on that team, right?
23 MS. FUMERTON: Objection.
24 Form.
25 THE WITNESS: There was more,

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1 but --
2 QUESTIONS BY MR. BOWER:
3 Q. It was sent to four people,
4 right?
5 A. Yes.
6 Q. For review prior to the
7 meeting, right?
8 MS. FUMERTON: Objection.
9 Form.
10 THE WITNESS: Say that again?
11 QUESTIONS BY MR. BOWER:
12 Q. They were sent to the team,
13 right?
14 MS. FUMERTON: Objection.
15 Form.
16 QUESTIONS BY MR. BOWER:
17 Q. They were sent to the four
18 people on this e-mail, correct?
19 MS. FUMERTON: Objection.
20 Form.
21 What is the "they" you're
22 referring to?
23 MR. BOWER: These slides. The
24 slides in the PowerPoint we're looking
25 at were sent to the people on the

<p style="text-align: right;">Page 194</p> <p>1 e-mail. 2 QUESTIONS BY MR. BOWER: 3 Q. Is that correct? 4 A. Yes. 5 MS. FUMERTON: Objection. 6 Form. 7 MR. BOWER: Are you objecting 8 that the slides on this e-mail were 9 sent to the people on the e-mail? 10 MS. FUMERTON: I'm objecting 11 because you continuously do not listen 12 to her answers and misrepresent the 13 testimony, because she said that there 14 were other people involved in the 15 team, and then you keep trying to 16 reduce it to a smaller number. 17 MR. BOWER: I don't reduce it. 18 QUESTIONS BY MR. BOWER: 19 Q. I'm saying these slides were 20 sent to these four people; is that correct? 21 A. Yes. 22 Q. Do you have any idea why 23 these -- only these four people received 24 these slides in this e-mail? 25 MS. FUMERTON: Objection.</p>	<p style="text-align: right;">Page 196</p> <p>1 and insisted that she answer the 2 question. 3 So if you want her to answer 4 whether she had responsibility for 5 anything in the slides, you need to 6 allow her time to review the slides. 7 MR. BOWER: I would ask, again, 8 for no speaking objections. 9 MS. FUMERTON: And I am going 10 to again ask you to stop 11 misrepresenting her testimony and the 12 record. 13 Are you objecting to letting 14 her have time to review the slides? 15 MR. BOWER: I never did. 16 MS. FUMERTON: Yes, you did. 17 MR. BOWER: I just asked the 18 question. 19 MS. FUMERTON: You withdrew the 20 question. 21 MR. BOWER: I withdrew the 22 question. 23 MS. FUMERTON: And now you 24 asked again. 25 MR. BOWER: Now -- let me clear</p>
<p style="text-align: right;">Page 195</p> <p>1 Form. Lack of foundation. 2 MR. BOWER: I'll strike it. 3 QUESTIONS BY MR. BOWER: 4 Q. Do you have any idea why the 5 other team members weren't included on this 6 e-mail? 7 A. No, I do not. 8 Q. Okay. Do you have any reason 9 to believe that you were included on this 10 e-mail because you had some responsibility in 11 connection with these slides? 12 A. No. 13 Q. So is it your testimony today 14 that despite your inclusion on this e-mail 15 and receiving these slides before the DVP 16 meeting, you had no responsibility in 17 connection with any of these projects? 18 MS. FUMERTON: Objection. 19 Form. And I object to what you're 20 asking because you're going back to 21 the original question that you asked. 22 And she said, "Let me look to 23 see if I had any responsibility," and 24 you said you were going to withdraw 25 that question, and then you came back</p>	<p style="text-align: right;">Page 197</p> <p>1 up the record, because now you've made 2 a long record that's inaccurate, which 3 is frequent in this case. 4 I withdrew the question. I 5 asked some foundational questions and 6 then asked the question again, at 7 which point you interjected your long 8 speaking objection which is 9 inappropriate. 10 QUESTIONS BY MR. BOWER: 11 Q. So I'll ask again. And I've 12 given you plenty of time today to review 13 every document. All I'm asking you is, did 14 you have any responsibility in connection 15 with anything represented in these slides? 16 MS. FUMERTON: And you can take 17 the time to review the slides. 18 MR. BOWER: And while she's 19 reviewing, I would appreciate if we 20 could end the speaking objections 21 because it's getting out of hand. 22 MS. FUMERTON: It's not getting 23 out -- and, Zach, again, you cannot 24 withdraw when she says, "Give me a 25 minute to review," and you say, "I'll</p>

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1 withdraw the question," then come back
2 and ask. You have to give her time to
3 review the slides.
4 MR. BOWER: I never didn't give
5 her time.
6 MS. FUMERTON: I'm not going to
7 let you railroad her into questions
8 that are unfair.
9 MR. BOWER: Look, it's pretty
10 clear that your speaking objections
11 are strategic, so if they keep going,
12 we're going to have to find some
13 relief because it's inappropriate.
14 MS. FUMERTON: Is your
15 misrepresenting the record strategic?
16 MR. BOWER: I am not. I
17 withdrew a question. I asked
18 foundational questions then asked the
19 question again.
20 MS. FUMERTON: All I'm asking
21 is for time to review the document.
22 MR. BOWER: Then that should be
23 the nature of your statement, not a
24 long colloquy.
25 THE WITNESS: There was stuff

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1 in here that I was responsible for.
2 QUESTIONS BY MR. BOWER:
3 Q. Okay. Let's talk about that.
4 What in here were you
5 responsible for?
6 A. Some system solutions.
7 Q. What page are you on?
8 A. I'm on page 4.
9 Q. Okay. And what specifically
10 are you looking at? The dash system
11 solution? That one?
12 A. On the system solution.
13 Q. Okay.
14 A. So...
15 Q. And that notes "develop a
16 proactive order limitation system."
17 Do you see that?
18 A. Yes.
19 Q. Did Walmart ever do that?
20 A. Yes.
21 Q. Okay. What -- what was that
22 system called?
23 A. Buzzeo, I believe.
24 Q. So this refers to Buzzeo; is
25 that correct?

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1 A. So it refers to --
2 Q. I'll strike that. That was a
3 poor question.
4 At the time, Walmart didn't use
5 Buzzeo; is that correct?
6 A. That's correct.
7 Q. So this refers to what would
8 later become the Buzzeo project?
9 A. Correct.
10 Q. Okay. Were you responsible for
11 that project?
12 A. I was initially brought in, and
13 then I was not responsible because it didn't
14 affect the distribution center. Buzzeo was
15 prior to the order dropping to the
16 distribution center.
17 Q. Okay. So is it your testimony
18 that you were not responsible for the rollout
19 of Buzzeo at 6045?
20 A. That's correct.
21 Q. Did you have any role in that
22 rollout?
23 A. Not in the rollout.
24 Q. What was your role, if any?
25 A. It was when it -- when it

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1 initially rolled out, there was a bug with
2 it, and so they had to take that out and fix
3 the bug. And so I was brought in to look at
4 why the system did what it did, so I provided
5 some -- some insight into that.
6 Q. Well, wasn't it, in fact, your
7 decision to take it out and fix the bug?
8 Wasn't that your decision?
9 MS. FUMERTON: Objection.
10 Form.
11 THE WITNESS: I don't recall.
12 QUESTIONS BY MR. BOWER:
13 Q. Okay. Other than your
14 reference to Buzzeo here, do you know why you
15 were looking to develop a proactive order
16 limitation system?
17 A. It wasn't necessarily me. It
18 was -- I was partnering with compliance.
19 Q. Okay. Do you know why Walmart
20 wanted to develop a proactive order
21 limitation system?
22 MS. FUMERTON: Objection.
23 Form.
24 THE WITNESS: No, I don't know.
25

<p style="text-align: right;">Page 202</p> <p>1 QUESTIONS BY MR. BOWER: 2 Q. It didn't affect your 3 responsibility so you didn't ask, right? 4 A. I didn't ask. 5 Q. Do you think it could possibly 6 be related to the second page of this 7 PowerPoint, all these headlines here? 8 MS. FUMERTON: Objection. 9 Form. 10 THE WITNESS: Possibly. 11 QUESTIONS BY MR. BOWER: 12 Q. Well, as you sit here today, 13 what is your understanding as to why these 14 headlines are here? 15 MS. FUMERTON: Objection. 16 Form. 17 THE WITNESS: For monitoring. 18 QUESTIONS BY MR. BOWER: 19 Q. What specifically about 20 monitoring? 21 A. Controlled substances. 22 Q. Specifically opioids, correct? 23 MS. FUMERTON: Objection. 24 Form. 25 QUESTIONS BY MR. BOWER:</p>	<p style="text-align: right;">Page 204</p> <p>1 Do you know whether that was 2 one of the key items referenced here? 3 A. I don't know. 4 Q. Do you know whether other oxy 5 products were key items referenced here? 6 A. I don't know. 7 Q. What is a controlled drug 8 report? Do you know what that refers to? 9 The third dash there says, 10 "Identify controlled drug report 11 requirements." What does that mean? 12 A. I don't know what that means. 13 Q. Well, you have testified that 14 you were responsible for this systematic 15 solution, right? 16 You don't know what the third 17 dash refers to? 18 MS. FUMERTON: Objection. 19 Form. Misstates prior testimony. 20 THE WITNESS: I don't know what 21 it refers to. 22 QUESTIONS BY MR. BOWER: 23 Q. Do you know what the data in 24 that sentence refers to? 25 A. No.</p>
<p style="text-align: right;">Page 203</p> <p>1 Q. Do you have that understanding? 2 A. No. Controlled substances. 3 Q. Okay. Were you aware in 2013 4 that the country was in the middle of an 5 opioid crisis? 6 A. I don't know when I became 7 aware of it. 8 Q. Do you recall being aware of it 9 at this time? 10 A. No, I don't recall that. 11 Q. Do you see -- so you're -- 12 going back to page 4, which you directed to 13 us as having some responsibility for, do you 14 see the second dash? It says, "Provide 15 internal alerts for increasing volumes on key 16 items." 17 Do you see that? 18 A. Yes. 19 Q. Did you ever ask what those key 20 items were? 21 A. No. 22 Q. Well, you knew at this time 23 that Walmart was focusing on oxy 30, right? 24 A. Yeah, in 2012. 25 Q. Right.</p>	<p style="text-align: right;">Page 205</p> <p>1 Q. Do you know what data you would 2 have used or had access to in connection with 3 this development of the solution? 4 A. The sales data. 5 Q. And where would you have -- 6 where would that data have been maintained? 7 A. In Teradata. 8 Q. And what was the solution for? 9 It says, "this is my solution," but 10 "solution" suggests to me there's a problem. 11 Do you know what the solution 12 was supposed to address? 13 A. I don't know that it was a 14 problem. It was a change in the process. 15 Q. Do you know why a change was 16 needed or desired by Walmart? 17 MS. FUMERTON: Objection. 18 Form. 19 THE WITNESS: No, we just -- we 20 change systems as they evolve, as new 21 stuff comes into the processes. 22 QUESTIONS BY MR. BOWER: 23 Q. Well, what new stuff was coming 24 into the processes? 25 A. I'm not talking about</p>

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1 specifically this. I'm talking about broad,
2 like CSOS. I mean, it wasn't something that
3 we brought in. It was to replace what we
4 were currently doing.
5 Q. Right.
6 And I think you explained --
7 sorry, go ahead.
8 A. And pick the light. It was to
9 replace what we were currently doing. So it
10 was just systems that became available, and
11 we evolved to those.
12 Q. And I think for each of those
13 situations you just described, the CSOS issue
14 and the pick a light, you were able to
15 identify why those changes were made.
16 Do you have any idea why this
17 change was being made?
18 MS. FUMERTON: Objection.
19 Form.
20 THE WITNESS: No, I don't.
21 QUESTIONS BY MR. BOWER:
22 Q. Did you ever ask, "Why do we
23 need a solution?"
24 A. I don't recall asking.
25 Q. Well, how is it that you went

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1 about providing a solution to something you
2 didn't know what you were trying to solve?
3 MS. FUMERTON: Objection.
4 Form.
5 QUESTIONS BY MR. BOWER:
6 Q. Well, I'll strike that.
7 What did you do to develop a
8 solution?
9 A. I didn't develop a solution. I
10 went and attended meetings that people asked
11 for a solution.
12 Q. And what did people ask?
13 A. They wanted -- like when we
14 enhanced Reddwerks, they wanted visibility to
15 the orders that were coming in and what
16 was -- what the threshold was and what was
17 being held and where it alerted and then what
18 the weekly quantity was.
19 Q. And at any of these meetings
20 did they ever say why they wanted this
21 information?
22 MS. FUMERTON: Objection.
23 Form.
24 THE WITNESS: I didn't ask.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. But -- and in your answer you
3 mentioned, like, we wanted the enhanced
4 Reddwerks. But this is not the enhanced
5 Reddwerks, right, this is something
6 different?
7 MS. FUMERTON: Objection.
8 Form.
9 QUESTIONS BY MR. BOWER:
10 Q. I'll ask it a different way
11 then.
12 Does this systematic solution
13 refer to enhanced Reddwerks?
14 A. I believe it is, but I'm not
15 sure.
16 Q. Okay. Because earlier you
17 mentioned Buzzeo.
18 A. I mentioned Buzzeo as well,
19 yes. I don't know if it was Buzzeo or if it
20 was the system enhancements.
21 Q. Okay. Could it have been both?
22 A. It could have been. I don't
23 know.
24 Q. In other words, both the
25 Reddwerks enhancement and Buzzeo could have

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1 been systematic solutions to addressing these
2 issues, correct?
3 A. It could have been.
4 Q. Okay. Do you know what the
5 system was at this time in January of 2013?
6 A. It was Reddwerks.
7 Q. And what was specifically with
8 respect to order limitation was happening at
9 Reddwerks at this time?
10 A. Thresholds.
11 Q. Thresholds for which products?
12 A. For all products.
13 Q. And what does that mean when
14 you say "thresholds"?
15 A. There was a limit set on items.
16 Q. On all items?
17 A. On all items.
18 Q. And what were those limits?
19 A. I don't know that specifically.
20 Q. Do you recall whether it being
21 50?
22 A. I do recall it being somewhat
23 50.
24 Q. Do you recall automatic cuts to
25 50 of all items?

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1 MS. FUMERTON: Objection.
2 Form.
3 QUESTIONS BY MR. BOWER:
4 Q. I'll strike it.
5 Do you know whether Walmart
6 instituted a policy of automatically cutting
7 orders to 50 for all items?
8 A. I don't recall. I don't
9 recall.
10 MR. BOWER: I'm not sure what
11 time it is. Do you want to keep going
12 or do you want to do --
13 MS. FUMERTON: No, this is a
14 good time to stop for lunch. I just
15 wanted to be mindful because we do
16 have the 4:00 cutoff.
17 MR. BOWER: Well, I mean --
18 MS. FUMERTON: You took the
19 other break after we had just taken a
20 30-minute break, so --
21 MR. BOWER: I took a
22 five-minute break. I'm allowed to
23 take a five-minute break.
24 MS. FUMERTON: I'm not saying
25 you're not, but I'm just saying --

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1 MR. BOWER: We will be done
2 when we're done. I'm not agreeing to
3 less than my time on the record.
4 MS. FUMERTON: Well, then let's
5 just take -- we'll take a short
6 lunch --
7 MR. BOWER: That's fine.
8 MS. FUMERTON: -- and --
9 MR. BOWER: You can take a
10 five-minute lunch if you want.
11 MS. FUMERTON: We had this
12 conversation --
13 MR. BOWER: We did, and
14 that's --
15 MS. FUMERTON: -- before the
16 scheduling.
17 MR. BOWER: -- why I said
18 before we were taking three 15-breaks
19 this morning.
20 MS. FUMERTON: We did not take
21 a 15-minute break, but the record will
22 show what we took.
23 MR. BOWER: They both were like
24 14 minutes.
25 MS. FUMERTON: No, they were

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1 not.
2 VIDEOGRAPHER: Going off the
3 record at 11:41 a.m.
4 (Off the record at 11:41 a.m.)
5 VIDEOGRAPHER: We're back on
6 the record at 12:06 p.m.
7 (Walmart-Sullins Exhibit 7
8 marked for identification.)
9 QUESTIONS BY MR. BOWER:
10 Q. Okay. We're back on the
11 record.
12 Do you understand that you're
13 still under oath?
14 A. Yes.
15 Q. You've been handed what's
16 marked as Exhibit 7, an e-mail from Kristy
17 Spruell to yourself, Ms. Alford, Donna
18 Aldridge and Nick Tallman, September 2013.
19 Just take a moment and review
20 it. It's simply an e-mail and attachment.
21 A. Okay. Okay.
22 Q. Okay. Who is Kristy Spruell?
23 A. She was a team member on the
24 team.
25 Q. Okay. What team is that?

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1 A. She was originally in
2 compliance and then worked with our team on
3 the monitoring of controlled substances.
4 Q. And what role did your team
5 have in the monitoring of controlled
6 substances?
7 A. So it would have been the -- my
8 role would have been the system enhancements.
9 Q. What about the other folks on
10 your team; did they have other roles?
11 A. I don't know.
12 Q. You don't know what roles, if
13 any, the other folks on your team had in
14 connection with controlled substance
15 monitoring; is that correct?
16 A. That's correct.
17 Q. And just -- I think the record
18 this morning wasn't clear.
19 When you say "team," what do
20 you mean?
21 A. The people on the health and
22 wellness logistics team.
23 Q. Okay. And who were those
24 people in 2013?
25 A. It would have been Nick

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1 Tallman, Theresa Alford. I believe Sarah
 2 Eisler, Tim Harris. Donna was not on the
 3 actual team, but she had a dotted line there.
 4 Joan Mersher. I think that was it.
 5 Q. Okay. I appreciate that.
 6 Thank you.
 7 So your role would have been
 8 the system enhancements portions for any --
 9 anything related to monitoring for controlled
 10 substances; is that correct?
 11 A. For any system changes, yes.
 12 Q. Okay. So is that the reason
 13 that Ms. Spruell was sending this document to
 14 you?
 15 MS. FUMERTON: Objection.
 16 Form.
 17 QUESTIONS BY MR. BOWER:
 18 Q. I'll strike that then.
 19 What is your understanding as
 20 to why Ms. Spruell is sending this document
 21 titled "Controlled Substance Distribution
 22 Monitoring Program" to you?
 23 A. What she was working on.
 24 Q. I understand that may have been
 25 what she was working on. My question,

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1 though, to you is, why is she sending it to
 2 you?
 3 A. I don't know why she sent it to
 4 the -- to the operational team.
 5 Q. She sent it to four people,
 6 right?
 7 A. Yes.
 8 Q. You're the first person listed
 9 on there, right?
 10 A. Yes, I'm the first person
 11 listed on there.
 12 Q. And as you sit here today, you
 13 have no understanding as to why she would
 14 have sent this to you; is that correct?
 15 A. That's correct.
 16 Q. Okay. Do you recall, other
 17 than seeing this document today, ever seeing
 18 this document before?
 19 A. Yeah, I've seen it before.
 20 Q. When have you seen it?
 21 A. Back in 2013.
 22 Q. Oh, you recall receiving this
 23 e-mail from Ms. Spruell in 2013?
 24 A. I don't recall receiving the
 25 e-mail --

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1 Q. Okay.
 2 A. -- but I recall seeing this
 3 information.
 4 Q. Okay. And you note it
 5 refers -- do you see where it refers to
 6 "every order of interest"?
 7 Do you see it starts --
 8 A. Oh, at the beginning?
 9 Q. Yeah.
 10 And it goes through and talks
 11 about what Walmart must do for every order of
 12 interest, correct?
 13 A. Yes.
 14 Q. Did you have any role in that
 15 process?
 16 A. No.
 17 Q. Did you have any role in -- if
 18 you go to number 4, do you see it says, "4 B,
 19 all investigation records must be stored on a
 20 server"?
 21 Do you see that, that they
 22 "must be stored on a server"?
 23 A. Yes.
 24 Q. Did you have any role in that?
 25 A. No.

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1 Q. Do you know who would have
 2 ensured that those records were stored on a
 3 server?
 4 A. Kristy would have done that.
 5 Q. And what's your basis for that
 6 statement?
 7 A. Because it was the program she
 8 put together.
 9 Q. So it was your understanding
 10 that Kristy put together this program; is
 11 that correct?
 12 A. That's correct.
 13 Q. Okay. Is it your understanding
 14 this program had been in place as of this
 15 date?
 16 A. There was some program prior to
 17 that date, which was the order alerts through
 18 Reddwerks.
 19 Q. Is it your understanding that
 20 this program changed that program?
 21 A. No.
 22 Q. Okay. Is it your understanding
 23 this program added to that program?
 24 A. Yes.
 25 Q. Okay. It added requirements to

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1 that program, for example?
2 A. Correct.
3 Q. Okay. Did it change the way
4 that order alerts were identified?
5 MS. FUMERTON: Objection.
6 Form.
7 QUESTIONS BY MR. BOWER:
8 Q. So I'll strike that.
9 Did this program reflected in
10 Exhibit 7 change the way Walmart identified
11 orders of interest for Control II substances?
12 A. I don't know.
13 Q. Do you know who would know that
14 answer?
15 A. No, I mean, other than Kristy.
16 Q. Okay. Because this note at the
17 top says, "Every order of interest will be
18 properly and thoroughly investigated."
19 Do you see that?
20 A. Yes.
21 Q. So was it your understanding
22 that this investigation and evaluation
23 requirement was applying to the system
24 already in place?
25 A. Yes.

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1 Q. Do you know what server would
2 have been referred to in 4?
3 A. No, not -- I wouldn't know what
4 server it would specifically refer to.
5 Q. Did Walmart have a dedicated
6 server for this type of information during
7 this time period?
8 A. I don't know.
9 Q. Has Walmart ever had a
10 dedicated server space for preserving
11 investigations of orders of interest?
12 A. I know that they started to key
13 those into Archer.
14 Q. Well, that didn't occur until
15 well after this time period; isn't that
16 correct?
17 A. I don't know when that
18 occurred.
19 Q. So other than keying
20 information into Archer, do you know whether
21 Walmart has ever had a dedicated server space
22 for preserving investigations of orders of
23 interest?
24 A. I don't know that.
25 Q. Do you know who would know

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1 that?
2 A. Maybe somebody in ISD.
3 Q. I mean, you were the systems --
4 you were the -- kind of the liaison between
5 health and wellness and ISD, right?
6 A. On enhancements, yes.
7 Q. But not on preserving
8 information?
9 A. No.
10 Q. Who would have had that role?
11 A. Kristy would have asked for
12 that space.
13 Q. We talked this morning for some
14 time about the alerts over 20 reports.
15 Do you recall that?
16 A. Yes.
17 Q. Do you recall ever being
18 involved in thresholds of a certain
19 percentage above a four-week average?
20 A. No, I don't recall that.
21 (Walmart-Sullins Exhibit 8
22 marked for identification.)
23 QUESTIONS BY MR. BOWER:
24 Q. Okay. You've been handed
25 what's been marked as Exhibit 8, which is an

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1 e-mail to -- to Reas Macken, M-a-c-k-e-n,
2 cc'ing herself from Miranda Gan, and then her
3 response to you and Miranda.
4 Just take a moment and review
5 this.
6 A. Okay.
7 Q. I just -- my first question
8 will be whether this refreshes your
9 recollection as to my previous question
10 regarding threshold percentages. Rather,
11 threshold based on percentages.
12 A. Let me just --
13 Q. Sure, yeah, please take your
14 time.
15 I know you're looking at the
16 attachment. I don't want to cut you off at
17 all, but I'm not going to be asking questions
18 on kind of the labeling portion.
19 A. Okay.
20 Q. My questions will be focused
21 kind of starting on the order level alerts
22 page.
23 A. Okay.
24 Q. So if that helps you at all.
25 And that Bates number ends in

<p style="text-align: right;">Page 222</p> <p>1 9230. That's the first one. 2 A. Okay. 3 Q. Okay? So I appreciate you 4 taking the time to review this. 5 This is more within your 6 bailiwick, right? This is what you did, 7 right? 8 A. Yes. 9 Q. So I wanted to then start on 10 the first page, which is the e-mail from 11 Miranda to -- is it Reas? 12 A. Reas. 13 Q. -- Reas and yourself. 14 Does this -- and Miranda 15 writes, "Walmart's health and wellness 16 division is working on a monitoring program 17 for suspicious orders." And then she asks a 18 series of questions. 19 Does this document that's 20 attached to this e-mail reflect what Walmart 21 was doing at the time or what Walmart was 22 going to do in the future? 23 A. So the attached document is 24 what we implemented in 2011. 25 Q. Okay. So, for example, in</p>	<p style="text-align: right;">Page 224</p> <p>1 Q. I'm just trying to understand 2 how kind of the logic used to flag items in 3 1 -- do you see that on that page? -- relates 4 to what you just said. Right? Because it 5 appears to me that there's three options, 6 right? 7 And so I'll strike that 8 question and we'll start from there. 9 If you look at 1, right, on 10 that page, on the page ending in 9230 -- 11 A. Yes. 12 Q. You with me? 13 It says, "detailed steps and 14 action," right? 15 One, "logic used to flag an 16 item. The logic that is used to flag an item 17 is as follows." And then A is, "any order 18 that is over 50 items is flagged, regardless 19 of percent of the four-week average." 20 Was that what was occurring 21 since 2011? 22 A. Yes. To some items. 23 Q. Okay. But that's -- and 24 that's -- why do you say "to some items"? 25 Because it says -- this says</p>
<p style="text-align: right;">Page 223</p> <p>1 2011, Walmart implemented those order level 2 alerts reflected on page 9230? 3 A. Yes. 4 Q. Okay. Okay. That's helpful. 5 And then going back to the 6 cover of the e-mail, the question from 7 Miranda to Reas is, "Do we have the option to 8 turn off the threshold at 30 percent but 9 leave the orders over 50 on?" 10 What does that refer to? 11 A. So there were some items that 12 had a hard limit of 50, and then there were 13 some items that were the 30 percent 14 threshold. 15 Q. And how would you determine 16 whether an item was -- which item -- strike 17 that. 18 How would you determine which 19 bucket an item fit into, whether it was an 20 over 50 or over 30 percent? Because that's 21 the source of my confusion. 22 MR. BOWER: And I know this is 23 a long question, so you can feel free 24 to object. 25 QUESTIONS BY MR. BOWER:</p>	<p style="text-align: right;">Page 225</p> <p>1 "any order." It doesn't say to "some" 2 orders; it says "any" order. 3 A. Because it was based on 4 items -- it was that flagged item. So it's 5 that specific SKU for that -- in that order. 6 Q. I understand what you mean. 7 Okay. So not any order, but 8 any item of over 50 was flagged 9 automatically? 10 A. Yes. 11 Q. Any SKU of over 50 would flag? 12 A. That was the logic, yes. 13 Q. Well, that's -- that was the 14 logic, wasn't it? 15 A. I know. But for that specific 16 item, if that was the logic, then, yes. 17 Q. Were there some -- what do you 18 mean by "item"? What's an item? 19 A. So it would be an NDC, a 20 specific NDC. 21 Q. Okay. Were there any NDCs for 22 which an order of over 50 would not be 23 flagged? 24 A. If it had the other logic in 25 it.</p>

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1 Q. But those logics are all orders
2 under 50, correct?
3 A. Or if it had a different
4 threshold.
5 Q. But that's not reflected here,
6 is it?
7 The statement you just said, if
8 it had a different threshold, is not
9 reflected in this document, is it?
10 A. Not in this document it's not.
11 Q. So why do you say that an
12 item -- strike that.
13 Why is it your testimony that
14 an order of over 50 for a particular item may
15 not have been flagged?
16 MS. FUMERTON: Objection.
17 Form.
18 THE WITNESS: Can you repeat
19 that?
20 QUESTIONS BY MR. BOWER:
21 Q. Sure. Okay. Let's talk about
22 1 A again, right? 1 A says -- and I'll try
23 to rephrase if that was a poor question.
24 1 A says, "Any order that is
25 over 50 items is flagged," right? What does

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1 that mean?
2 A. So it's based on individual
3 items. So if the order quantity for an item
4 is over 50, it would flag.
5 Q. Is that true for all items?
6 A. No, it's not true for all
7 items.
8 Q. And what's your basis for that
9 statement?
10 A. Because of the oxy 30 that we
11 changed to 20.
12 Q. Other than for oxy 30, is that
13 statement true for all items?
14 A. I can't say that it is because
15 I don't know based on individual items. I
16 can't say that they were all at 50.
17 Q. Well, but this is the
18 Reddwerks -- right? This is what Reddwerks
19 was doing. This document reflects the
20 Reddwerks settings, correct?
21 A. Right. But you're ask --
22 MS. FUMERTON: Objection.
23 Form.
24 THE WITNESS: But what you're
25 asking me is, are all items set at 50.

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1 I don't know that, because I
2 know that there was some that were set
3 at 20.
4 QUESTIONS BY MR. BOWER:
5 Q. Okay.
6 A. But I don't know if they were
7 all set at 50.
8 Q. Other than oxy 30, are you
9 aware of any other item that was set at 20?
10 A. I'm not aware of it. I don't
11 know.
12 Q. Okay. Other than oxy 30, are
13 you aware of any other items that were
14 flagged for an amount other than 50?
15 A. I don't know.
16 Q. Do you have any reason to
17 believe that C-II products would have had a
18 different threshold than 50?
19 A. I don't know.
20 Q. And then for -- going on to B,
21 "Any order between 0 and ten items will not
22 be flagged, regardless of percent of
23 four-week average."
24 Do you see that?
25 A. Yes.

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1 Q. That was also in place since
2 2011?
3 A. Yes.
4 Q. Same for C?
5 MS. FUMERTON: Objection.
6 Form.
7 QUESTIONS BY MR. BOWER:
8 Q. Was the lot -- I'll strike
9 that.
10 Was the logic identified in 1 C
11 in place since 2011?
12 MS. FUMERTON: Objection.
13 Form.
14 THE WITNESS: Yes, that was --
15 that was in place.
16 QUESTIONS BY MR. BOWER:
17 Q. So going down then to 2 B, do
18 you see below that chart there?
19 A. Uh-huh.
20 Q. By the way, what's this chart?
21 What is this an excerpt from,
22 or what's this a picture of?
23 A. It's a picture of the screen
24 inside of Reddwerks.
25 Q. And then it has the four-week

<p style="text-align: right;">Page 230</p> <p>1 average there. Do you see that?</p> <p>2 Kind of hard to make out, but</p> <p>3 it has -- I believe it has -- the columns are</p> <p>4 customer, item, description, batch, order,</p> <p>5 and that next one is kind of hard to read.</p> <p>6 Then four-week average, current threshold,</p> <p>7 adjusted four-week average, and then percent</p> <p>8 above four-week average.</p> <p>9 A. Yes.</p> <p>10 Q. Do you see that?</p> <p>11 Are there any other columns</p> <p>12 available in Reddwerks other than these?</p> <p>13 MS. FUMERTON: Objection.</p> <p>14 Form. Time frame. I mean, this --</p> <p>15 MR. BOWER: I know, but I'm</p> <p>16 just trying -- I know, but what -- I</p> <p>17 understand, but I'm trying to cut to</p> <p>18 the chase in light of...</p> <p>19 QUESTIONS BY MR. BOWER:</p> <p>20 Q. Okay. During this time period,</p> <p>21 were there any other columns available in</p> <p>22 Reddwerks other than the ones reflected here?</p> <p>23 A. I don't know, because if there</p> <p>24 were, there would be a scroll bar at the</p> <p>25 bottom, and they only take a snippet of it.</p>	<p style="text-align: right;">Page 232</p> <p>1 4 B have to occur before the order was able</p> <p>2 to be shipped?</p> <p>3 A. Yes.</p> <p>4 Q. Going back to the -- I'm just</p> <p>5 going to ask a couple more questions on that</p> <p>6 page.</p> <p>7 Did this -- this order level</p> <p>8 alert logic and steps we've been talking</p> <p>9 about, did that apply to all DCs?</p> <p>10 A. All DCs.</p> <p>11 Q. Okay.</p> <p>12 A. All items.</p> <p>13 Q. Including 6045, correct?</p> <p>14 A. Yes.</p> <p>15 Q. What is the historical items</p> <p>16 data tab in CSOS?</p> <p>17 A. That is the history of orders</p> <p>18 that were shipped, signed and shipped.</p> <p>19 Q. When did that functionality</p> <p>20 roll out to 6045?</p> <p>21 A. CSOS, we started the pilot in</p> <p>22 2012, the end of the year. So I think it was</p> <p>23 like December of 2012.</p> <p>24 Q. So sometime probably early</p> <p>25 2013, 6045 had that visibility; would that be</p>
<p style="text-align: right;">Page 231</p> <p>1 Q. Well, are you familiar with any</p> <p>2 other columns that have ever been available</p> <p>3 in Reddwerks?</p> <p>4 A. Yes.</p> <p>5 Q. What are those columns?</p> <p>6 A. Order quantities, shipped</p> <p>7 quantities. I know there's others; I just</p> <p>8 can't recall them all.</p> <p>9 Q. Okay. Appreciate that.</p> <p>10 So then going back to my</p> <p>11 initial question on 2 B there it says, "Cut</p> <p>12 any quantity that is above 50 to an</p> <p>13 appropriate number using the cut quantity</p> <p>14 action under the actions column."</p> <p>15 Had that parameter been in</p> <p>16 place since 2011?</p> <p>17 MS. FUMERTON: Objection.</p> <p>18 Form.</p> <p>19 QUESTIONS BY MR. BOWER:</p> <p>20 Q. Well, how would you describe</p> <p>21 what's happening in 2 B?</p> <p>22 A. So it's -- it's a -- it's an</p> <p>23 action that you can do inside of the -- that</p> <p>24 link there under the action column.</p> <p>25 Q. Okay. And did that action in</p>	<p style="text-align: right;">Page 233</p> <p>1 accurate?</p> <p>2 A. Visibility to what?</p> <p>3 Q. To use the historical items</p> <p>4 data tab to review orders.</p> <p>5 A. There was no history there till</p> <p>6 after.</p> <p>7 Q. Okay. So what information is</p> <p>8 reflected in the historical items data tab?</p> <p>9 In other words, what do you mean by history?</p> <p>10 A. So because we had started in</p> <p>11 2012, it was -- there was nothing there from</p> <p>12 the previous shipments.</p> <p>13 Q. In other words, you didn't</p> <p>14 upload any data to CSOS when it was rolled</p> <p>15 out?</p> <p>16 A. No, there was no data to</p> <p>17 upload. It was all paper 222 forms.</p> <p>18 Q. Okay. So if someone was using</p> <p>19 the CSOS system to track unusual orders, how</p> <p>20 would it go about doing so?</p> <p>21 A. I don't know.</p> <p>22 Q. It would have been difficult,</p> <p>23 right, without having the order history,</p> <p>24 correct?</p> <p>25 MS. FUMERTON: Objection.</p>

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1 Sorry. Objection. Form.
2 THE WITNESS: I -- I don't
3 know. I mean, there wasn't any in
4 2012 there.
5 QUESTIONS BY MR. BOWER:
6 Q. Right.
7 I mean, you couldn't look for,
8 for example, an unusual ordering pattern if
9 you couldn't see any ordering history, right?
10 A. Not in CSOS. In a different
11 system you could.
12 Q. What system would you use to
13 look for unusual pattern?
14 A. The other Reddwerks system.
15 There were two Reddwerks systems in 6045.
16 Q. There was the C -- CSOS was a
17 Reddwerks system?
18 A. Yes.
19 Q. Okay. And what was the other
20 system called?
21 A. The other Reddwerks system.
22 Q. Didn't have a separate name or
23 anything --
24 A. No.
25 Q. -- just Reddwerks?

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1 A. No, it was just the order --
2 the order fulfillment system. Then you had
3 CSOS.
4 Q. Okay. Sorry, I'm just looking
5 over a couple of things to confirm -- thank
6 you for that.
7 (Walmart-Sullins Exhibit 9
8 marked for identification.)
9 QUESTIONS BY MR. BOWER:
10 Q. Okay. You've been handed
11 what's marked as Exhibit 9. It's an e-mail
12 from Ms. Spruell to yourself with a one-page
13 attachment. Just take a moment and review
14 it.
15 A. Okay. Okay.
16 Q. Okay. Going back to my
17 question from a couple documents ago, what is
18 your understanding of why Ms. Spruell was
19 sending this now only to yourself?
20 A. I don't know, other than to
21 look at the flow, how the order runs.
22 Q. And would it be important for
23 your job responsibilities to know of the flow
24 that's reflected in the exhibit?
25 MS. FUMERTON: Objection.

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1 Form.
2 THE WITNESS: Can you ask your
3 question again? I'm sorry.
4 QUESTIONS BY MR. BOWER:
5 Q. Oh, sure. Please.
6 A. Can you ask your question
7 again?
8 Q. Oh, sorry. I thought you said,
9 can I ask a question.
10 Sorry about that.
11 So I'm just wondering whether
12 this reporting flow chart would have had any
13 relationship with your duties and
14 responsibilities.
15 Just generally speaking, I can
16 tell you that there's -- Ms. Spruell is
17 sending you a lot of these flowcharts. I'm
18 just trying to understand why.
19 A. Well, I think just to know how
20 the product flows from a systems perspective.
21 Q. All right. So let's just talk
22 about that then.
23 From a systems perspective,
24 what does this flow chart mean to you?
25 A. That the order comes in to the

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1 DC, there's an alert for over 20, there's --
2 there is an alert for over 50 report, and
3 then there's a 405 and 402 report.
4 Q. So can we talk about -- did you
5 have any familiarity with the 405 and 402
6 reports?
7 Sorry, strike that.
8 Did you have any familiarity
9 with the 405 reports? I guess there's 1 and
10 2.
11 A. Yes. So I knew that they
12 existed and when they broke -- when the job
13 broke, that I got the e-mail from the DC to
14 ask for them to have that job run.
15 Q. Okay. So someone from the DC
16 contacted you with issues regarding the
17 reports at some point, correct?
18 A. Correct.
19 Q. What did you do when you
20 received those communications?
21 A. I would send that on to someone
22 in ISD to take a look at it.
23 Q. Are you familiar with the
24 position drug diversion coordinator?
25 A. No.

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1 Q. Have you ever heard that term?

2 A. No.

3 Q. You're not aware of whether

4 anyone at Walmart held that position or that

5 title?

6 A. No, I'm not aware of it.

7 Q. Bottom right of that -- of the

8 attachment there references McKesson --

9 McKesson omit report and AmerisourceBergen

10 report.

11 Do you know what that refers

12 to?

13 A. No.

14 Q. Do you know whether this over

15 20 report reflected here took into account

16 orders that were directed to McKesson?

17 MR. COOPER: Object to form.

18 THE WITNESS: No, it did not

19 include those.

20 QUESTIONS BY MR. BOWER:

21 Q. Did you ever receive any

22 communication from anyone at Walmart that

23 Walmart should look at all oxy products

24 together instead of the products on an NDC

25 level?

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1 A. I don't recall that.

2 Q. Do you recall ever having that

3 discussion with anybody?

4 A. No.

5 Q. Who is Lucas Jackson?

6 A. I don't know.

7 (Walmart-Sullins Exhibit 10

8 marked for identification.)

9 QUESTIONS BY MR. BOWER:

10 Q. Okay. You've been handed

11 what's marked as Exhibit 10, an e-mail from

12 Ms. Auldridge to Ms. Spruell and yourself

13 forwarding an e-mail from Mr. Jackson in

14 July of 2015. So take a moment and review

15 the e-mail and the attachment.

16 A. Okay. Okay.

17 Q. Okay. Does reviewing this

18 document refresh your recollection as to who

19 Lucas Jackson may be?

20 A. No.

21 Q. Okay. Do you, as you sit here

22 today, recall receiving this e-mail?

23 A. I don't recall receiving it.

24 Q. Do you have any understanding

25 why Donna Auldridge may have sent this to you

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1 and Kristy Spruell?

2 A. No, other than -- no, not

3 really. I don't -- I don't.

4 Q. Okay. Well, in Mr. Jackson's

5 e-mail to Ms. Auldridge, he notes that he was

6 working on this "after we talked last week."

7 Do you see that?

8 A. Yes.

9 Q. And he appears to be suggesting

10 "a more accurate depiction of store ordering

11 than what we are getting with the over 20

12 report."

13 Do you see that?

14 A. I see that.

15 Q. Right?

16 And his solution would be to

17 look at all oxy products ordered by a store,

18 right?

19 A. Yes.

20 Q. Was that -- did Walmart have

21 that capability from a system standpoint?

22 A. We did not.

23 Q. And why not? Why couldn't

24 Reddwerks have been configured in that

25 manner?

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1 MS. FUMERTON: Objection.

2 Form.

3 QUESTIONS BY MR. BOWER:

4 Q. Strike that.

5 Could Reddwerks have been

6 configured to look at all oxy products

7 together?

8 A. I don't know because I can't

9 speak for them. It would be something of a

10 code change.

11 Q. So you never followed up on

12 this e-mail; is that correct?

13 A. No, because it wasn't addressed

14 to me.

15 Q. Well, Donna sent you an e-mail,

16 correct?

17 MS. FUMERTON: Objection.

18 Form.

19 THE WITNESS: It was addressed

20 to Kristy.

21 QUESTIONS BY MR. BOWER:

22 Q. Kristy. It was cc'd -- you

23 were cc'd on it.

24 So it's your testimony that

25 because you were cc'd on it, it wasn't

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1 addressed to you; is that correct?
2 A. That's correct.
3 Q. Did you ever follow up with
4 Kristy on this?
5 A. I don't recall.
6 Q. Did you ever ask anybody about,
7 hey, maybe we should look at all oxy products
8 together?
9 A. I don't recall. I don't
10 recall.
11 Q. It could have happened; you
12 just don't recall?
13 A. Yes, it could have happened. I
14 don't recall.
15 Q. As you sit here today, does it
16 concern you that Walmart never looked at oxy
17 products together?
18 MS. FUMERTON: Objection.
19 Form. Lack of foundation.
20 QUESTIONS BY MR. BOWER:
21 Q. Well, in light of what you know
22 about the opioid crisis today, right, and the
23 damage it's causing across the country, does
24 it concern you that Walmart never did this?
25 MS. FUMERTON: Objection.

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1 Form. Lack of foundation.
2 THE WITNESS: I don't know
3 whether they did or did not.
4 QUESTIONS BY MR. BOWER:
5 Q. Do you know whether Walmart
6 ever considered all oxy products together in
7 identifying orders of interest?
8 A. Yes, they did that with Buzzeo.
9 Q. They did that with Buzzeo.
10 When did that start?
11 A. 2016.
12 Q. So is it your understanding
13 that Buzzeo combined all orders of certain
14 products together when determining certain
15 thresholds, for example?
16 A. That was my understanding of
17 Buzzeo.
18 Q. Maybe we should take a step
19 back then and just talk about Buzzeo for a
20 moment.
21 Up until Buzzeo was rolled
22 out -- and my questions now are directed to
23 6045.
24 Okay?
25 A. Okay.

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1 Q. Up until Buzzeo was rolled out
2 to 6045, was the Reddwerks protocol that
3 we've already seen today in place until that
4 time?
5 A. Yes.
6 MS. FUMERTON: Objection.
7 Form.
8 THE WITNESS: Yes.
9 QUESTIONS BY MR. BOWER:
10 Q. Okay. And your counsel
11 objected, so I need to clean up that question
12 because it's an important one.
13 Was the Reddwerks -- let's just
14 strike that. I'll turn to the exhibit.
15 All right. Going back to
16 Exhibit 8. Was the -- we talked for some
17 time about the order level alerts on
18 Exhibit 8.
19 Do you recall that, on the page
20 ending in 30? Do you recall that discussion?
21 A. Yes, I do recall.
22 Q. Were these logic items, or
23 logic used to flag items, in place at 6045
24 until the rollout of Buzzeo?
25 A. No, there was an enhancement to

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1 that.
2 Q. And when did that enhancement
3 occur? Approximately.
4 A. I don't know. I want to say
5 2014. I don't know.
6 Q. Okay. I don't want you to
7 guess. Maybe we'll look at another document
8 later that reflects that.
9 But in order to save some time,
10 do you recall what changes were made with
11 respect to how items were flagged in
12 connection with that enhancement?
13 A. There was still a threshold.
14 Q. And were the thresholds changed
15 in connection with that enhancement?
16 A. Yes.
17 Q. Do you recall how they were
18 changed?
19 A. They were changed by
20 compliance.
21 Q. Okay. Do you recall what that
22 change was?
23 A. No, they -- I don't know what
24 the change was other than they -- each item
25 had its own threshold.

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1 Q. Do you recall whether each
2 store also had its own threshold?
3 A. It was a store/item
4 combination.
5 Q. Was it a numeric threshold or
6 was it percentage-based threshold, if you
7 recall?
8 A. I believe it was a numeric
9 threshold.
10 Q. Is it your understanding that
11 Walmart used a numeric threshold, at least
12 until the time Buzzeo was rolled out, at
13 6045?
14 A. Yes.
15 Q. Let me go back then to
16 Exhibit 10 for a moment. So we can close
17 that one out.
18 A. Okay.
19 Q. Do you disagree with
20 Mr. Jackson's statement that it would be a
21 more accurate depiction of store ordering to
22 look at all oxy products together?
23 MS. FUMERTON: Objection.
24 Form.
25 THE WITNESS: I don't have

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1 enough knowledge about it.
2 QUESTIONS BY MR. BOWER:
3 Q. What other information would
4 you need to answer that question?
5 A. Because I don't know what all
6 it would include. I don't know.
7 Q. Well, he's telling you, right?
8 Here he says, "I think this would be a more
9 accurate depiction of store ordering than
10 what we are getting with the over 20 report.
11 This looks at all oxy products ordered by the
12 store."
13 Do you think that he was
14 correct in making that statement?
15 MS. FUMERTON: Objection.
16 Form.
17 THE WITNESS: That's -- that's
18 out of my -- what I -- what I know and
19 did at Walmart and do at Walmart.
20 QUESTIONS BY MR. BOWER:
21 Q. I'm just asking you as you sit
22 here today, with your knowledge of Walmart's
23 ordering process, of the opioid crisis, all
24 of that information: Do you think this
25 statement by Mr. Jackson is accurate?

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1 MS. FUMERTON: Objection.
2 Form.
3 THE WITNESS: I can't answer
4 that. I don't know because it's --
5 it's not part of what my job
6 responsibilities were, to look at
7 that.
8 (Walmart-Sullins Exhibit 11
9 marked for identification.)
10 QUESTIONS BY MR. BOWER:
11 Q. Okay. You've been handed
12 what's been marked as Exhibit 11. It's just
13 a short e-mail from Ms. Spruell again to
14 yourself, Nick Tallman and Theresa Alford,
15 cc'ing Tim Harris.
16 Do you see that?
17 A. Yes.
18 Q. Okay. And there are some
19 redactions here. These were Walmart
20 redactions, just for the record.
21 Okay. So let me know when
22 you've finished completing the document. I
23 just have a few questions.
24 Okay?
25 A. Okay. Okay.

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1 Q. Okay. So during this time
2 period -- we're now in July 2014, correct?
3 A. Uh-huh.
4 Q. The Reddwerks flagged items
5 protocol that we discussed earlier is still
6 in place, correct?
7 MS. FUMERTON: Objection.
8 Form.
9 THE WITNESS: The 2011?
10 QUESTIONS BY MR. BOWER:
11 Q. Yes.
12 A. Yes.
13 Q. Okay. So what system upgrades
14 were being discussed here?
15 You see that -- "We continue to
16 work to implement system upgrades to provide
17 support for systematic solution."
18 Do you see that?
19 A. Yes.
20 Q. Do you have any idea what
21 system upgrades are being referred to?
22 Is this, for example, the
23 Reddwerks enhancement?
24 A. Yes.
25 Q. So up until this time, the

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1 Reddwerks enhancement hasn't rolled out yet,
2 correct?
3 A. That's correct.
4 Q. Okay. Do you know -- again, we
5 see the word "solution," right, "systematic
6 solution"?
7 Do you know what that refers
8 to?
9 A. No.
10 Q. Okay. Number one says, "They
11 don't understand why we can't continue to cut
12 orders."
13 Do you see that?
14 A. Yes.
15 Q. Did you have an understanding
16 what that meant at this time?
17 A. No, I don't.
18 Q. Did Walmart at some point stop
19 cutting orders?
20 MS. FUMERTON: Objection.
21 Form.
22 THE WITNESS: I don't recall.
23 QUESTIONS BY MR. BOWER:
24 Q. Well, would a decision to cut
25 an order be reflected in Reddwerks?

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1 A. Yes.
2 Q. Would the parameters in
3 Reddwerks need to be changed -- strike that.
4 Would the settings -- strike
5 that.
6 Would any settings in Reddwerks
7 need to be changed if Walmart changed its
8 policy to stop cutting orders?
9 MS. FUMERTON: Objection.
10 Form.
11 THE WITNESS: Let me make sure
12 I understood what you just said.
13 Are you asking if we had to
14 make a change inside of Reddwerks for
15 us not -- to stop cutting orders?
16 QUESTIONS BY MR. BOWER:
17 Q. Yes.
18 A. Yes, we would have had to make
19 the change.
20 Q. Do you recall making that
21 change or anyone making that change?
22 A. No.
23 Q. Were the concerns reflected, I
24 guess in 2? Do you see that, holding an
25 order, that type of discussion? Do you see

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1 that in 2 there?
2 A. Uh-huh.
3 Q. Where they would like to see a
4 process where all orders are dropped to fill,
5 but any order that includes a product order
6 that was submitted to the HO is
7 questionable -- as a questionable order would
8 be held in a separate area.
9 Do you see that?
10 A. Yes.
11 Q. Was that ever implemented in
12 Reddwerks?
13 A. Yes.
14 Q. Okay. When was that change
15 made?
16 A. That was part of the
17 enhancement.
18 Q. Okay. So as of this date, that
19 hadn't been made yet?
20 A. No.
21 Q. Did Walmart incur any costs in
22 connection with that Reddwerks enhancement?
23 A. Yes.
24 Q. Okay. Did Walmart have to get
25 approval for incurring those costs?

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1 MS. FUMERTON: Objection.
2 Form.
3 QUESTIONS BY MR. BOWER:
4 Q. Strike that.
5 Who -- I'll ask it a different
6 way.
7 Does your team, the health and
8 wellness team, at this time period have a
9 budget?
10 A. For system enhancement?
11 Q. Yes.
12 A. We did.
13 Q. Okay. Did the enhancements to
14 Reddwerks come from that budget?
15 A. Not that I'm aware of.
16 Q. Who would have funded within
17 the Walmart structure the system enhancements
18 at Reddwerks?
19 MS. FUMERTON: Objection.
20 Form.
21 QUESTIONS BY MR. BOWER:
22 Q. In other words, whose budget
23 would have paid for those enhancements?
24 A. Compliance.
25 Q. Do you know who would have had

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1 to approve those payments at compliance?
2 A. I don't know.
3 Q. Okay. Who would know the
4 answer to that question? Ms. Spruell?
5 A. Yes.
6 Q. Potentially Ms. Hiland?
7 A. I don't know. Potentially.
8 Q. There are -- and I'm trying to
9 skip over some documents here, but there's
10 some references to the interim sum process.
11 Are you familiar with that?
12 A. Yes.
13 Q. Would that be the Reddwerks
14 enhancement or something different?
15 A. Something different.
16 Q. Okay. What is the interim sum
17 process?
18 A. That would have been prior to
19 the enhancement.
20 Q. Would that be applicable to
21 6045?
22 A. Yes.
23 Q. Okay. What was that process,
24 from a systems perspective at least?
25 A. There was nothing inside the

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1 system that we did differently. It was --
2 it's a manual process.
3 Q. Okay. Can you just describe
4 generally what that process was then?
5 A. I don't recall what that
6 process was.
7 Q. But it didn't change anything
8 from your perspective within Reddwerks?
9 A. Not in the system, no.
10 (Walmart-Sullins Exhibit 12
11 marked for identification.)
12 **QUESTIONS BY MR. BOWER:**
13 Q. Okay. You've been handed
14 what's been marked as Exhibit 12.
15 A. Uh-huh.
16 Q. I don't particularly need to
17 spend too much time on this, certainly spend
18 your time reviewing it.
19 It reflects that you were in
20 attendance at the meeting, you'll see in the
21 last page. But I'm mainly concerned with how
22 this relates to our discussion regarding the
23 alert levels. And particularly -- I'm not
24 trying to cut you off; I just want to show
25 you where I am so that you can review.

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1 A. Okay.
2 Q. If you see in the meeting
3 minutes on this -- kind of the first page of
4 the attachment, it has "alert level
5 requirement" in the first bullet point. And
6 then if you go down a little bit, it has --
7 it states that "thresholds will be translated
8 from pill count to bottle count."
9 And I'm just trying to
10 understand how that relates to our earlier
11 discussion about -- which I believe was
12 50 bottles, with the thresholds tied to
13 50 bottles. Okay?
14 So with that in mind, take your
15 time reviewing that.
16 A. Okay.
17 Q. Okay. I just want to clarify a
18 few things and make sure I'm reading this
19 document the correct way.
20 Okay?
21 A. Okay.
22 Q. In that bullet point I
23 mentioned where it says, "Thresholds will be
24 translated from pill count to bottle count,"
25 did that change the way that Reddwerks was

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1 flagging items for review?
2 A. They were always -- they were
3 always flagging items at bottle count.
4 Q. Okay. That's why -- so when it
5 says they will be translated from pill count
6 to bottle count, that's simply an additional
7 piece of information that Reddwerks will be
8 providing?
9 A. No. The -- the original ask
10 was for it to be in pill count, and
11 Reddwerks, since we weren't getting -- we
12 weren't sending them the pills, asked to
13 change that to bottle count.
14 Q. Well, then why does it say
15 "thresholds will be translated from pill
16 count to bottle count"? What does that mean?
17 A. I don't know if the threshold
18 file that was sent to them was a pill count.
19 Q. Okay. So are you referring to
20 the threshold file that was sent from Walmart
21 to Reddwerks?
22 A. Correct.
23 Q. Okay. So at some point Walmart
24 sent Reddwerks a threshold file?
25 A. To upload, yes.

<p style="text-align: right;">Page 258</p> <p>1 Q. Who would have sent that?</p> <p>2 A. The compliance team.</p> <p>3 Q. Would those files be sent</p> <p>4 anytime a threshold was changed?</p> <p>5 A. Yes.</p> <p>6 Q. Going down another bullet point</p> <p>7 there, kind of the clear bullet point, it</p> <p>8 says, "The DCs will be access to their</p> <p>9 respective servers."</p> <p>10 Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. Did each DC have a dedicated</p> <p>13 server?</p> <p>14 A. I don't know.</p> <p>15 Q. Well, who -- if you don't know</p> <p>16 the answer to that question, who would know?</p> <p>17 A. Someone in ISD.</p> <p>18 Q. So a couple -- I'm just trying</p> <p>19 to get some of this terminology down as well.</p> <p>20 A couple of bullet points down</p> <p>21 it says, "The week-to-date quantities will be</p> <p>22 compared to thresholds as they exist in the</p> <p>23 DB to trigger alerts."</p> <p>24 Do you see that?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 260</p> <p>1 MR. BOWER: Okay. So we've</p> <p>2 been going about an hour. We'll take</p> <p>3 a break. I'll pull out those</p> <p>4 documents. We'll have to go through</p> <p>5 them. Okay?</p> <p>6 MS. FUMERTON: Okay.</p> <p>7 VIDEOGRAPHER: Going off the</p> <p>8 record at 1:13 p.m.</p> <p>9 (Off the record at 1:13 p.m.)</p> <p>10 VIDEOGRAPHER: We're back on</p> <p>11 the record at 1:30.</p> <p>12 (Walmart-Sullins Exhibit 13</p> <p>13 marked for identification.)</p> <p>14 QUESTIONS BY MR. BOWER:</p> <p>15 Q. Okay. I'm going to hand you</p> <p>16 what's been marked as Exhibit 13. It's a</p> <p>17 rather long document, so take a few minutes</p> <p>18 and look at it.</p> <p>19 MS. FUMERTON: Zach, did you</p> <p>20 correct the other document during the</p> <p>21 break?</p> <p>22 MR. BOWER: No, I did not.</p> <p>23 MS. FUMERTON: That's fine. As</p> <p>24 long as we just do it by the end of</p> <p>25 the day.</p>
<p style="text-align: right;">Page 259</p> <p>1 Q. What does the DB refer to? The</p> <p>2 database?</p> <p>3 A. The database.</p> <p>4 Q. Does that refer to the</p> <p>5 Reddwerks database or is there some other</p> <p>6 database?</p> <p>7 A. Reading this, I would -- I</p> <p>8 would say that would be the Reddwerks</p> <p>9 database.</p> <p>10 Q. Do you know whether Reddwerks</p> <p>11 has -- well, strike that.</p> <p>12 Would Walmart also have had to</p> <p>13 send Reddwerks a file for these default</p> <p>14 thresholds in the next bullet point?</p> <p>15 A. To change that threshold, yes.</p> <p>16 Q. So I'm trying to move ahead a</p> <p>17 little bit. There's a few documents</p> <p>18 referencing that you're -- e-mail that you're</p> <p>19 on, discussions regarding rolling out of</p> <p>20 certain things at the DCs. I believe it's</p> <p>21 the Reddwerks enhancement, and the reference</p> <p>22 is to board of directors commitments, time</p> <p>23 commitments.</p> <p>24 Do you recall that?</p> <p>25 A. I don't.</p>	<p style="text-align: right;">Page 261</p> <p>1 MR. BOWER: Yeah.</p> <p>2 QUESTIONS BY MR. BOWER:</p> <p>3 Q. I just have -- so you can keep</p> <p>4 in mind as you review it -- a few questions</p> <p>5 on the e-mail, and then I'll focus on a few</p> <p>6 pages of the attachment.</p> <p>7 A. Okay.</p> <p>8 Q. Page 18 -- principally page 17</p> <p>9 and 18.</p> <p>10 MS. FUMERTON: Feel free to</p> <p>11 orient yourself to the whole document.</p> <p>12 MR. BOWER: Yeah, please do. I</p> <p>13 just wanted to -- some of the stuff is</p> <p>14 kind of irrelevant to this case, so...</p> <p>15 THE WITNESS: You said 17 and</p> <p>16 18?</p> <p>17 QUESTIONS BY MR. BOWER:</p> <p>18 Q. Yes, of the attachment. You</p> <p>19 see they're numbered kind of in the bottom</p> <p>20 left.</p> <p>21 Are you looking at the Bates</p> <p>22 number or the --</p> <p>23 A. Oh, I was looking at the</p> <p>24 PowerPoint number. So the Bates number?</p> <p>25 Q. Yeah. 17, the one that has a</p>

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1 central fill data retention on the top.
 2 A. Yes.
 3 Q. And then 18 has suspicious
 4 order identification monitoring and
 5 reporting.
 6 Do you see that?
 7 A. Yes.
 8 Q. So those two pages.
 9 But like your counsel said,
 10 take your time and review it. I'll have some
 11 questions on that e-mail as well.
 12 A. Okay. Okay.
 13 Q. Okay. So this is -- the first
 14 e-mail is an e-mail from yourself to -- who
 15 is RJ Hermans, H-a-r-m-a-n-s {sic}?
 16 A. He was our logistics system
 17 project manager.
 18 Q. Okay. Who did he report to?
 19 A. I believe it was Brian Wagner.
 20 Q. Okay. And what about Casey
 21 Campbell, C-a-m-p-b-e-l-l?
 22 A. He was in compliance.
 23 Q. Do you know whether he reported
 24 to Susanne Hiland?
 25 A. I don't know.

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1 Q. Do you know why he's including
 2 you on his e-mail circulating the compliance
 3 focus area deck?
 4 A. I had to present RX
 5 serialization.
 6 Q. Is that related to your role
 7 with NACDS that we discussed earlier?
 8 A. That was for us to implement
 9 the Drug Supply Chain Security Act.
 10 Q. So is it your testimony that
 11 you didn't have any involvement in the -- for
 12 example, the data retention system referenced
 13 on page 17 of the PowerPoint?
 14 A. No, I did not.
 15 Q. Okay. Who would have had that
 16 responsibility?
 17 A. I don't know. That's related
 18 to central fill.
 19 Q. Okay. And what do you mean
 20 by -- what is central fill?
 21 A. It's a location that fills
 22 prescriptions for the store.
 23 Q. Can you be more specific?
 24 A. So in some states you can send
 25 a prescription to a central fill location to

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1 be filled by the pharmacist there, and that
 2 prescription then gets sent back to that
 3 store for the customer to pick it up.
 4 Q. So in those circumstances does
 5 a -- strike that.
 6 In that scenario you just
 7 described, who is sending the prescription?
 8 A. The store is.
 9 Q. So the store sends the
 10 prescription to a central location, and the
 11 central location returns a filled
 12 prescription?
 13 A. Yes.
 14 Q. Do you know whether that
 15 occurred in Ohio?
 16 A. I don't know.
 17 Q. Do you know who would know
 18 that?
 19 A. Someone in compliance.
 20 Q. And turning to the next page
 21 then, page 18, this is -- appears to be a
 22 timeline for suspicious order identification
 23 monitoring and reporting.
 24 Do you see that?
 25 A. Yes.

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1 Q. During this time period, you
 2 did have involvement in some of these
 3 projects, correct?
 4 A. I had involvement in this
 5 project, yes.
 6 Q. Okay. Do you know what -- if
 7 you see there it says, "Board deliverable
 8 date, 7/31/2015"?
 9 Do you see that kind of towards
 10 the top? It has certain points on the
 11 timeline. Do you see that?
 12 A. I'm not --
 13 Q. So if you look at the top
 14 right, you see the timeline?
 15 A. This timeline?
 16 Q. Yes.
 17 A. Okay.
 18 Q. And then kind of -- towards the
 19 right-hand column towards the bottom, it has
 20 a board deliverable date of 7/31/2015.
 21 Do you see that?
 22 A. Yes.
 23 Q. Do you know what that refers
 24 to?
 25 A. No.

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1 Q. Do you know whether the -- a
2 Walmart board or a committee of a Walmart
3 board set a timeline for installation for the
4 SOM rollout reflected here?
5 A. I don't know.
6 Q. Do you know what else that
7 could refer to?
8 A. No, I don't know.
9 Q. If I told you it referred to
10 the Walmart board, would you have any reason
11 to believe that's an inaccurate statement?
12 MS. FUMERTON: Objection.
13 Form.
14 THE WITNESS: I wouldn't know
15 because I don't know who that would
16 be.
17 QUESTIONS BY MR. BOWER:
18 Q. Are you familiar with any other
19 team or group or any other type of similar
20 organization within Walmart that would be
21 referred to as "the board"?
22 MS. FUMERTON: Objection.
23 Form.
24 THE WITNESS: No.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. So I just want to go then down
3 to the key deliverables in the bottom left
4 there.
5 A. Uh-huh.
6 Q. Do you know what -- the fourth
7 bullet point says, "Include vendor data and
8 order level limits."
9 Do you know what that means?
10 A. No.
11 Q. Do you know what "vendor data"
12 refers to?
13 A. No.
14 Q. Well, this is a project you
15 were involved with, correct?
16 A. I was involved with the
17 implementation of it, yes.
18 Q. All right. And the
19 implementation included providing certain
20 data to Reddwerks, correct?
21 MS. FUMERTON: Objection.
22 Form.
23 THE WITNESS: Yes, from the
24 compliance team.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. Right.
3 And do you know what data the
4 compliance team provided?
5 A. No.
6 Q. Okay. You weren't involved in
7 that side of the project?
8 A. No.
9 Q. Okay. What about the next
10 bullet point, "proactive tracking of order
11 and industry trends"?
12 Do you see that?
13 A. Yes.
14 Q. Do you know when Walmart
15 started tracking industry trends?
16 A. No, I don't know.
17 Q. Do you know who would have been
18 responsible for that?
19 Would it also have been on the
20 compliance side?
21 MS. FUMERTON: Objection.
22 Form.
23 Go ahead.
24 THE WITNESS: I would assume it
25 would be the compliance team.

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1 QUESTIONS BY MR. BOWER:
2 Q. So anything on here that you
3 had involvement with?
4 MS. FUMERTON: And you're
5 referring just to this page?
6 MR. BOWER: Yes, this page,
7 sorry.
8 THE WITNESS: The rollout.
9 QUESTIONS BY MR. BOWER:
10 Q. Okay. And just so we're all on
11 the same page, where are you looking?
12 A. Where it says "current week."
13 Q. Okay.
14 A. "Plan to roll out a patch to DC
15 6028."
16 Q. Okay. What was being rolled
17 out? Was this the enhanced Reddwerks at this
18 time period or something else?
19 A. It was our -- the enhancement
20 had already been rolled out. It was just
21 bugs that were being fixed.
22 Q. Okay. So do you know what --
23 under that sort of section where there's
24 current week and prior week, it references
25 "timelines for development to correct

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1 inventory visibility."
2 What does that refer to?
3 A. I don't know.
4 Q. Do you know what inventory
5 visibility is?
6 A. Not the way that it's
7 referenced here.
8 Q. Okay. Well, how do you -- or
9 in what way are you familiar with that term?
10 A. There is certain screens inside
11 the host system that shows inventory for each
12 DC by item.
13 Q. By "item," do you mean NDC
14 number?
15 A. Yes.
16 Q. And what do you mean by "host
17 system"? What does that refer to?
18 A. So it's the -- it's a -- a
19 Walmart mainframe system that shows a
20 multitude of things where inventory resides.
21 Q. Okay. What else does it show?
22 A. Purchase orders.
23 Q. Do you know how -- for what
24 time period it maintains purchase orders?
25 A. No, they all have different

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1 rules on purchase orders.
2 Q. What is the longest -- strike
3 that.
4 Let's say someone needed to
5 look back as far as possible for purchase
6 orders.
7 Where would they go?
8 MS. FUMERTON: Objection.
9 Form.
10 QUESTIONS BY MR. BOWER:
11 Q. I'll strike that.
12 Let's say someone wanted to
13 look back as far as they could go for
14 purchase orders for C-IIs, okay? Where would
15 they go?
16 MS. FUMERTON: Objection.
17 Form.
18 QUESTIONS BY MR. BOWER:
19 Q. And I'm talking now about any
20 time period.
21 MS. FUMERTON: My objection is
22 actually different. It's to the use
23 of the term "purchase order." I just
24 want to make sure you're not talk --
25 MR. BOWER: That's fine. I'm

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1 just using however you -- whatever you
2 meant purchase order, that's what I
3 mean.
4 THE WITNESS: So purchase order
5 is inbound to the C-II facility from
6 the supplier.
7 QUESTIONS BY MR. BOWER:
8 Q. Okay.
9 A. That would be inside of
10 Teradata.
11 Q. And how far back would that go?
12 A. I don't know.
13 Q. Okay. And I think I asked this
14 already, but just to be sure, do you know
15 whether the information in Teradata is backed
16 up anywhere?
17 A. I don't know.
18 Q. Do you know whether it is
19 routinely deleted?
20 A. I don't know.
21 Q. So I'm just going back to the
22 timeline then. The installations, you see it
23 has certain DCs. For example, 6045
24 installation is other -- with references to
25 updates.

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1 Do you see that? For example,
2 it has 6028 update and then 6024 -- 6045
3 installation.
4 A. Yes.
5 Q. What's the difference between
6 those two things?
7 A. It was already installed in
8 6028, so they were doing updates to the bugs
9 that we were finding.
10 Q. Okay. But it hadn't yet been
11 installed in 6045, right?
12 A. So it was installed in 6045,
13 and then we took it out.
14 Q. This is the -- sorry. I'll let
15 you finish, sorry.
16 A. We took the -- we reverted back
17 to the threshold process because of CSOS.
18 Q. And why is that?
19 A. It wasn't -- when the order was
20 held for review, it didn't assign that order
21 a new CSOS order ID.
22 Q. Okay. So the CSOS and the
23 enhanced Reddwerks weren't working together?
24 A. They were not.
25 (Walmart-Sullins Exhibit 14

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1 marked for identification.)
 2 QUESTIONS BY MR. BOWER:
 3 Q. Okay. Okay. You've been
 4 handed what's been marked as Exhibit 14.
 5 This is going back a little bit in time,
 6 so...
 7 It's just a one-page e-mail,
 8 but take a moment and let me know when you've
 9 had a chance to review it.
 10 A. Okay.
 11 Q. Okay. So I just have a couple
 12 questions.
 13 Did you work with Brian Wagner?
 14 A. Yes.
 15 Q. Okay. What was his role?
 16 A. So RJ Hermans reported to Brian
 17 Wagner, and they were both over on the
 18 systems -- logistics systems team.
 19 Q. Okay. So he writes to a bunch
 20 of folks, including yourself, or cc'ing you,
 21 referring to the next generation of
 22 suspicious order monitoring.
 23 Do you see that?
 24 A. Uh-huh.
 25 Q. Is he referring to enhanced

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1 Reddwerks, or is this the initial kind of RFI
 2 for Buzzeeo?
 3 A. It is the whole Buzzeeo process
 4 to look for something else.
 5 Q. Okay. And were you part of
 6 that process?
 7 A. I was initially.
 8 Q. All right. Okay. And for how
 9 long were you part of that process?
 10 A. I don't know how long I was in
 11 it. It was just through the -- through the
 12 process of looking at what data might be
 13 needed for that.
 14 Q. Were you involved in providing
 15 data to Buzzeeo in connection with
 16 implementing the new system?
 17 A. No.
 18 Q. Okay. Do you know who provided
 19 that data to Buzzeeo?
 20 A. I don't know.
 21 Q. He references a
 22 cross-functional team here. Do you see that,
 23 second paragraph?
 24 A. Yes.
 25 Q. Do you know -- were you on that

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1 team at some point?
 2 A. Initially I was, and then
 3 because it -- it never would be sent to the
 4 DC, I was removed from that team.
 5 Q. Is that because --
 6 A. Or that project.
 7 Q. Sorry, I didn't mean to
 8 interrupt you.
 9 And is that because the Buzzeeo
 10 would work before the order got to the DC?
 11 A. Yes.
 12 Q. Okay. And that would occur at
 13 the home office, correct?
 14 A. Yes.
 15 Q. Okay. Who were the other
 16 members of the cross-functional team while
 17 you were on it?
 18 A. Miranda, Brian Barker, Brian
 19 Wagner. I don't know who it was from the
 20 replenishment team. I think there was David
 21 Hernon.
 22 Q. Okay. David was part of the
 23 replenishment team?
 24 A. I think he was. I don't
 25 recall.

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1 Q. I appreciate that.
 2 And then what was the -- kind
 3 of the -- was there any timeline you all were
 4 under -- working under to roll out this --
 5 the next generation of the suspicious order
 6 monitoring program?
 7 A. I don't recall a timeline in
 8 the beginning.
 9 Q. Do you ever recall a timeline?
 10 A. No.
 11 Q. It was just as fast as possible
 12 or something else?
 13 A. I don't know. I mean, I
 14 wasn't -- I was in it for the very beginning,
 15 and when they realized we were going to
 16 install that prior to it dropping to the DC,
 17 I wasn't included in any -- in the work
 18 group.
 19 Q. At some point, though, you
 20 became involved again, correct?
 21 A. When it was installed.
 22 Q. And why did you become involved
 23 once it was installed?
 24 A. Because of the orders that were
 25 being deleted, the augmented orders.

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1 Q. We'll talk about that in a
 2 minute. I just want to -- have a couple more
 3 questions on this document.
 4 Okay?
 5 A. Okay.
 6 Q. Did you have an understanding
 7 when you were on the team initially, at
 8 least, what the framework referred to meant?
 9 A. That we wanted to install that
 10 prior to the order dropping to the DC.
 11 Q. Did you have any understanding
 12 or any discussions -- strike that.
 13 Were there any discussions as
 14 to why Walmart was pursuing the next
 15 generation of suspicious order monitoring?
 16 MS. FUMERTON: Objection.
 17 Form.
 18 THE WITNESS: No, we were
 19 pursuing it from a DC perspective
 20 because the current process deducted
 21 the inventory, whether you shipped the
 22 product or not.
 23 QUESTIONS BY MR. BOWER:
 24 Q. Is that the only reason?
 25 MS. FUMERTON: Objection.

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1 Form.
 2 THE WITNESS: I don't know. I
 3 don't know that that was the only
 4 reason.
 5 QUESTIONS BY MR. BOWER:
 6 Q. Are you aware of any others?
 7 A. No.
 8 Q. When you say the current
 9 process deducted the inventory whether you
 10 shipped the product or not, what do you mean?
 11 A. So the Reddwerks process, the
 12 enhancement process, would -- because an
 13 order came into the DC, the system
 14 automatically deducts that from inventory.
 15 So on the screen if it says that you were
 16 going to -- you had a hundred and then you
 17 had an order for ten, it would reflect 90 in
 18 the system and on some reports, but you
 19 hadn't yet shipped a bottle of it. So it was
 20 always reflecting end-of-day potential
 21 process.
 22 Q. And how would the rollout of --
 23 is it Buzzeeo or Buzzeeo? Buzzeeo?
 24 A. I've heard it as Buzzeeo.
 25 Q. Okay. How would the rollout of

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1 Buzzeeo address that problem?
 2 A. That would have been upstream,
 3 so that would have been prior to the order
 4 ever dropping to the DC. The review would be
 5 done.
 6 Q. So it was your understanding
 7 that the review would be complete before the
 8 order ever hit the DC, correct?
 9 A. Yes.
 10 Q. Do you know, in fact, that's --
 11 whether that's what happened?
 12 A. After the install?
 13 Q. Yes.
 14 A. Yes.
 15 Q. That's your understanding?
 16 A. That's my understanding.
 17 Q. What's your basis for that?
 18 A. From the augmented orders that
 19 were being deleted.
 20 Q. What does it mean when you say
 21 an augmented order is "deleted"?
 22 A. So an augmented order is a
 23 process within the replenishment system that
 24 looks at the need of a product at store level
 25 based on sales history. There's some

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1 algorithm that it does. I don't know what
 2 it -- what that algorithm is.
 3 So then that process -- I don't
 4 know the timing of it, but it's -- it was
 5 being performed later in the day than when
 6 Buzzeeo was grabbing all the orders. So
 7 then because Buzzeeo didn't grab all those
 8 orders, it deleted all those augmented picks.
 9 Q. You said it deleted all those
 10 augmented picks?
 11 A. Yes.
 12 Q. Who would know what the
 13 algorithm was? Who would be responsible for
 14 that?
 15 A. The replenishment systems.
 16 Q. All right. Is it your
 17 testimony that the replenishment systems
 18 folks were responsible for the Buzzeeo
 19 algorithm?
 20 MS. FUMERTON: Objection.
 21 Form.
 22 THE WITNESS: That's not what
 23 you asked.
 24 QUESTIONS BY MR. BOWER:
 25 Q. Okay. Can you clarify that,

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1 what you mean?
2 A. You asked --
3 Q. I asked who would know, right?
4 A. You asked who would know what
5 that --
6 Q. The algorithm --
7 A. The algorithm for the augmented
8 picks.
9 Q. Right.
10 A. And I said replenishment
11 systems.
12 Q. Okay. Well, then maybe --
13 maybe -- you're right, that's a poor
14 question.
15 What do you mean by algorithm
16 for augmented picks?
17 A. So it's looking at POS -- past
18 POS sales, so what am I selling, and trying
19 to take that and predict what I may need at
20 store level.
21 Q. Okay. So those were algorithms
22 directed at store-level demand?
23 A. Yes.
24 MS. FUMERTON: Objection.
25 Form.

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1 QUESTIONS BY MR. BOWER:
2 Q. The algorithms you referred to
3 were not algorithms that were used for
4 suspicious order monitoring; is that correct?
5 A. That's correct.
6 Q. Are you aware of whether there
7 were algorithms for suspicious order
8 monitoring?
9 MS. FUMERTON: Objection.
10 Form.
11 THE WITNESS: I was not aware.
12 I don't know.
13 QUESTIONS BY MR. BOWER:
14 Q. Are you aware of whether the
15 rollout of Buzzeo had any impact on Walmart's
16 suspicious order monitoring program for
17 C-IIs?
18 MS. FUMERTON: Objection.
19 Form.
20 THE WITNESS: I wouldn't have
21 any knowledge of that.
22 QUESTIONS BY MR. BOWER:
23 Q. While we're pulling this next
24 document, just a couple more names that I
25 haven't seen much but you may be familiar

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1 with.
2 David Bonds, B-o-n-d-s?
3 A. Yes.
4 Q. What was his role?
5 A. He was in maintenance. He was
6 our maintenance operations manager.
7 Q. Maintenance of what?
8 A. The conveyors, the lifts, any
9 structural work done to the building.
10 Q. So maintenance of physical
11 structure at the DCs?
12 A. Uh-huh.
13 (Walmart-Sullins Exhibit 15
14 marked for identification.)
15 QUESTIONS BY MR. BOWER:
16 Q. Okay. You've been handed
17 what's been marked as Exhibit 15.
18 A. Uh-huh.
19 Q. An e-mail from RJ Hermans to
20 yourself and a bunch of other folks.
21 Do you need a moment to review
22 that document?
23 A. Yes, please. Okay.
24 Q. Okay. I just wanted to talk
25 generally here about the time frame around

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1 this time period.
2 The e-mail from RJ mentioned
3 "high-level updates, SOM-OLA install
4 completed at 6045."
5 Do you see that?
6 A. Yes.
7 Q. Do you know what that refers
8 to?
9 A. The enhancements.
10 Q. This is still the enhancement
11 then?
12 A. Yes.
13 Q. The Reddwerks enhancement?
14 A. Yes.
15 Q. Okay. Was this the reinstall
16 after the bugs were fixed or is this the
17 initial install?
18 A. No, this was the reinstall.
19 Q. After this reinstall, did
20 everything operate smoothly with respect to
21 the way the enhancement worked at 6045?
22 MS. FUMERTON: Objection.
23 Form.
24 THE WITNESS: I don't recall if
25 there was issues or not.

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1 QUESTIONS BY MR. BOWER:
2 Q. Do you recall any specific
3 issues as you sit here today?
4 A. No.
5 Q. Do you know -- so if you turn
6 to page 1 in the attachment --
7 A. Uh-huh.
8 Q. -- on the bottom there the
9 bullet point says, "Reddwerks SOM."
10 Do you see that?
11 A. Yes.
12 Q. All right. It says, "Changing
13 order level alert logic in Reddwerks' picking
14 system to fully utilized enhanced store item
15 order level to flag suspended reports on
16 suspicious orders."
17 Do you know what that refers
18 to?
19 A. So that was the enhancement.
20 Q. That one bullet point reflects
21 the enhancement to Reddwerks?
22 MS. FUMERTON: Objection.
23 Form.
24 QUESTIONS BY MR. BOWER:
25 Q. I'm just trying to understand

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1 what you mean by "that was the enhancement."
2 A. It's a summary of what his
3 report is.
4 Q. Is it -- this report, you mean,
5 or something else?
6 A. No, it's a summary of all his
7 projects. These are all projects that he's
8 reporting on.
9 Q. Okay. So these are all RJ's
10 projects?
11 A. These are all our projects in
12 the distribution center, yes.
13 Q. Okay. And this is a summary of
14 what was done for the Reddwerks enhancement?
15 A. Right.
16 Q. What is the -- what does the
17 enhanced store item order level refer to?
18 A. I can't remember what it's
19 referring to.
20 Q. Well, can we just then, just so
21 that I'm clear, I guess -- maybe I'm confused
22 now. But what -- the first part of this
23 says, "changing order level alert logic."
24 What does that mean?
25 A. So the original threshold, if

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1 an order was held for review, it would hold
2 the entire store order.
3 This change would only hold the
4 item that was flagged for review.
5 Q. Okay. And just so the record
6 is clear, when you say "the entire store
7 order," that would include the order for
8 other products, or other items, correct?
9 A. Yes.
10 Q. So now it's being changed to
11 only hold the order for that specific item,
12 correct?
13 A. The item that was alerted, yes.
14 (Walmart-Sullins Exhibit 16
15 marked for identification.)
16 QUESTIONS BY MR. BOWER:
17 Q. You've been handed what's been
18 marked as Exhibit 16. It's an e-mail from
19 yourself attaching an old, I believe, over 20
20 report.
21 I don't have too many questions
22 on the attachment, just maybe a few general
23 questions. My questions are focused mainly
24 on the e-mails.
25 A. Okay.

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1 Q. That's all.
2 A. Okay.
3 Q. Okay. First, where did you get
4 this old report from?
5 A. The old report?
6 Q. Uh-huh.
7 A. The -- I kept it.
8 Q. This is an e-mail -- an e-mail
9 that you sent in 2017, right?
10 A. Right.
11 Q. Okay. And so where did you --
12 where did you keep it?
13 A. In my e-mail.
14 Q. Okay. Do you have any other
15 reports in your e-mails?
16 A. I'm sure there is. I don't
17 know what they are.
18 Q. Has anyone asked for them --
19 strike that.
20 Has anyone asked you to produce
21 them in connection with this case?
22 A. No.
23 Q. Does the -- does the exhibit
24 reflect one report?
25 MS. FUMERTON: Let me just give

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1 some clarification because there's
2 actually sort of two e-mails and
3 then --
4 MR. BOWER: Why don't we not
5 have testimony from counsel on the
6 record. If we need to clarify it off
7 record, we can do it, but...
8 MS. FUMERTON: Well, okay.
9 Well, I didn't question -- I object to
10 the question then because I think it's
11 unclear.
12 THE WITNESS: What was your
13 question?
14 QUESTIONS BY MR. BOWER:
15 Q. Does the report that you're
16 sending, is it one report?
17 Your e-mail reflects --
18 states -- actually your e-mail states,
19 "Attached is an old report," suggesting it's
20 your own report. But if you look at the
21 report itself, it has various dates on it.
22 Do you see the first page,
23 7/30/2012 in the top left?
24 A. Right.
25 Q. And the second page, 7/31/2012.

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1 Third page is 8/3/2012.
2 A. It was --
3 Q. And 8/6, right? And then 8/7,
4 and then 8/8, and then 8/2, and then 8/6
5 again, 8/14 and 8/15.
6 So I'm just trying to
7 understand what exactly it is that you
8 forwarded on to Chad and Jeff and Nick.
9 A. It was one report with multiple
10 tabs.
11 Q. Can you explain to us why one
12 report would have multiple tabs with
13 different dates?
14 A. That's how it was created by
15 the DC.
16 Q. Weren't those reports created
17 on a daily basis?
18 A. Yes.
19 Q. So why would one report have
20 multiple tabs from -- stretching more than --
21 over more than two weeks?
22 MS. FUMERTON: Objection.
23 Form.
24 THE WITNESS: I don't know.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. If you look at the reports
3 themselves, if you look at, for example, the
4 report dated 8/3/2012.
5 Do you see that one?
6 A. Yes.
7 Q. You note in the comment section
8 it says, "Two previous orders this week total
9 20. Today's McKesson's order will be cut."
10 Do you see that?
11 A. Yes.
12 Q. Do you know why someone at
13 Walmart would have been cutting an order for
14 McKesson?
15 MR. COOPER: Objection.
16 Foundation.
17 MS. FUMERTON: Objection.
18 Form.
19 QUESTIONS BY MR. BOWER:
20 Q. Well, let me lay the foundation
21 then since that's apparently an objection.
22 You received this e-mail in
23 2012 at the time it was created, this report,
24 right? It looks like on Bates number 11628.
25 Do you see that?

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1 A. Yes.
2 Q. Jimmie Sherl sent it to
3 yourself, Mike Mullin, Theresa Alford, cc'ing
4 Sharon Morton, Jeff Abernathy and Teresa
5 Miller, right?
6 A. Yes.
7 Q. So when you received this
8 report in 2012, was it your understanding
9 that Walmart was cutting orders that were
10 placed by the pharmacies to McKesson?
11 MS. FUMERTON: Objection.
12 Form.
13 THE WITNESS: I was not aware.
14 QUESTIONS BY MR. BOWER:
15 Q. Do you know whether that's
16 consistent with Walmart's policies?
17 MS. FUMERTON: Objection.
18 Form.
19 THE WITNESS: I don't know.
20 QUESTIONS BY MR. BOWER:
21 Q. Well, let me ask you this then.
22 Do you know who would have been providing
23 those comments?
24 A. The distribution center.
25 Q. And that would have been

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1 Mr. Sherl, correct?
2 A. It could have been Mr. Sherl.
3 It could have been Jeff. It could have been
4 Mike. It could have been Sharon or Teresa.
5 I don't know who put the spreadsheet together
6 by date.
7 Q. But it's your understanding
8 these spreadsheets were put together on a
9 daily basis, correct?
10 A. That was my understanding.
11 Q. Do you know, for example, if
12 you look to the -- look at the report on
13 7/30/2012. They have a column quantity and
14 then a shipped quantity.
15 Do you see that? Just looking
16 at the first one there.
17 A. Yes.
18 Q. Those are all oxy 30s that were
19 cut to 20, correct?
20 A. Yes.
21 Q. Okay. Do you know whether
22 those were reported to the DEA?
23 A. I don't know.
24 Q. Do you know whether anyone else
25 received these reports other than the folks

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1 on this e-mail?
2 A. I don't know.
3 Q. Did you send this report to
4 anybody when you received it?
5 A. I don't recall.
6 Q. Do you know whether Walmart
7 would have been required to report those cuts
8 to the DEA?
9 A. I don't know.
10 Q. Did you ever ask anybody?
11 A. No.
12 Q. And then if you look at the
13 other products, right, there's Endocet 10,
14 oxycodone 15, some other oxy products.
15 There's a quantity, but the shipped quantity
16 for those is empty.
17 Do you see that?
18 A. I see that.
19 Q. Does that mean that those
20 orders were shipped with the quantity
21 reflected in the QTY column?
22 MS. FUMERTON: Objection.
23 Form.
24 THE WITNESS: I don't know.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. Well, what's your understanding
3 as to whether, for example, the order in
4 Mount Pleasant, South Carolina, for 28 of
5 oxycodone 15s, whether that order was -- for
6 20 was shipped?
7 A. I wouldn't -- I don't know
8 based off of this.
9 Q. What else would you need to
10 know to know whether the order was shipped?
11 A. To see what was invoiced.
12 Q. And where would you look to get
13 that information?
14 A. On Teradata.
15 Q. So going back now to the
16 e-mail, Chad's -- I'm sorry, Jeff's writing
17 to Chad and cc'ing -- look at the e-mail on
18 the bottom of that page -- cc'ing yourself
19 and Nick.
20 Do you see that?
21 A. Yes.
22 Q. It says, "West Virginia called
23 follow-up." Or "WV called follow-up."
24 Do you see that?
25 A. Yes.

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1 Q. Do you know what that refers
2 to?
3 A. What WV stands for?
4 Q. Yeah.
5 A. I would assume West Virginia.
6 Q. This is -- this occurred in
7 2017, right?
8 A. Yes.
9 Q. Did you have a discussion with
10 Chad about oxy 30 in 2017?
11 MS. FUMERTON: Objection to
12 form.
13 THE WITNESS: I don't recall.
14 QUESTIONS BY MR. BOWER:
15 Q. Well, do you see he notes that
16 "Ramona thought this was done because of
17 concerns being raised by Florida and WV"?
18 Do you see that?
19 A. I see that.
20 Q. Do you recall conveying that
21 information to Chad?
22 A. No, I don't recall that.
23 Q. So it could have been the case
24 that folks were raising concerns about oxy 30
25 in Florida and West Virginia which required

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1 Walmart to impose cuts, right?
2 MS. FUMERTON: Objection.
3 Form.
4 THE WITNESS: I don't know.
5 QUESTIONS BY MR. BOWER:
6 Q. Well, Chad writes, "Before the
7 SOM program, there was an issue with
8 oxycodone 30 MG in which Kristy S. had 6045
9 cut all orders over 20 bottles of oxy 30 to
10 20 bottles."
11 Do you see that?
12 A. From Jeff, yes, to Chad.
13 Q. And then he writes, "Ramona
14 thought this was done because of concerns
15 being raised by Florida and West Virginia."
16 Do you see that?
17 A. I see that.
18 Q. And that refers to you,
19 correct?
20 A. Yes.
21 Q. Okay. But as you sit here
22 today, you don't have any recollection of
23 this conversation?
24 A. I do not.
25 Q. And you don't have any

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1 recollection as to why Walmart decided to cut
2 oxy 30 orders, do you?
3 A. I do not.
4 MS. FUMERTON: Objection.
5 Form.
6 Just give me a second. Go
7 ahead.
8 THE WITNESS: I do not.
9 QUESTIONS BY MR. BOWER:
10 Q. So it could have been that at
11 some point you became aware of diversion
12 occurring in Florida and West Virginia,
13 correct?
14 MS. FUMERTON: Objection.
15 Form. Lack of foundation.
16 QUESTIONS BY MR. BOWER:
17 Q. Well, you just don't recall,
18 right?
19 MS. FUMERTON: Objection.
20 Form.
21 QUESTIONS BY MR. BOWER:
22 Q. Could have happened?
23 MS. FUMERTON: Objection to the
24 three questions that have been asked.
25 She hasn't -- if I make an objection,

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1 she can answer if you're not restating
2 your question.
3 And if you are restating your
4 question, I object to the third
5 question and the supplement.
6 THE WITNESS: I don't recall.
7 QUESTIONS BY MR. BOWER:
8 Q. You don't recall one way or the
9 other, correct?
10 A. I don't recall.
11 Q. So it could have been the case
12 that at some point you became aware that
13 Walmart was having diversion concerns in West
14 Virginia and Florida, correct?
15 MS. FUMERTON: Objection.
16 Form.
17 THE WITNESS: I do not recall.
18 QUESTIONS BY MR. BOWER:
19 Q. Do you have any reason to doubt
20 that you -- that Chad is -- strike that.
21 Do you have any reason to doubt
22 that Chad is accurately reflecting the
23 conversation he had with you in this e-mail?
24 MS. FUMERTON: Objection.
25 Form. Misstates the document.

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1 THE WITNESS: The document
2 is -- or the e-mail is from Jeff.
3 QUESTIONS BY MR. BOWER:
4 Q. Oh, excuse me. Okay.
5 So he's writing to Chad, right?
6 A. Yes.
7 Q. And he's writing, "Chad, I
8 talked to Nick and Ramona about the call we
9 were on today. Here are some thoughts we
10 had."
11 Do you see that?
12 A. I see that.
13 Q. And then he goes on to say,
14 "Ramona thought this was done," "this" being
15 the decision to cut oxy 30s to 20, right?
16 A. Yes.
17 Q. That that was done because of
18 concerns being raised by Florida and West
19 Virginia.
20 Do you see that?
21 A. I see that.
22 Q. Do you have any reason to doubt
23 that Jeff's statement is incorrect regarding
24 what you told him?
25 MS. FUMERTON: Objection. Form

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1 and lack of foundation.
2 THE WITNESS: He was talking to
3 both of us, Nick and myself. I don't
4 know -- I don't recall.
5 QUESTIONS BY MR. BOWER:
6 Q. He's stating there that Ramona
7 thought this was done. He's stating there
8 that you told him that one of the reasons
9 that oxy 30 was being cut was because of
10 concerns being raised by Florida and West
11 Virginia, isn't he?
12 MS. FUMERTON: Objection.
13 Form.
14 THE WITNESS: That -- that's
15 what he's stating. I don't recall the
16 conversation.
17 QUESTIONS BY MR. BOWER:
18 Q. Well, do you have any reason to
19 doubt the veracity of the statement?
20 MS. FUMERTON: Objection.
21 Form.
22 QUESTIONS BY MR. BOWER:
23 Q. As you sit here -- I'll strike
24 that.
25 As you sit here today, do you

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1 have any reason to doubt that the statement
2 here by Jeff is inaccurate?
3 A. Well, the fact that he's
4 talking to two of us, that makes me doubt it.
5 Q. And why is that?
6 A. Because I don't recall the
7 conversation.
8 Q. So is it your testimony that
9 you doubt it because as you sit here today
10 you don't recall it? Is that correct?
11 A. That's correct.
12 Q. And you think Jeff was making
13 it up?
14 MS. FUMERTON: Objection.
15 Form.
16 THE WITNESS: I don't know what
17 Jeff was doing.
18 QUESTIONS BY MR. BOWER:
19 Q. Well, either his statement here
20 is accurate or it's inaccurate, right?
21 MS. FUMERTON: Objection.
22 Form.
23 THE WITNESS: I just do not
24 recall the conversation.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. Do you have any idea, either
3 today or back in 2017, why Jeff would make
4 this up?
5 MS. FUMERTON: Objection.
6 Form. Lack of foundation.
7 THE WITNESS: I do not recall
8 the conversation.
9 MR. BOWER: Can you read back
10 my -- I move to strike that answer.
11 Can you just read back the previous
12 question?
13 (Court Reporter read back
14 question.)
15 MS. FUMERTON: Objection.
16 Form. Lack of foundation again.
17 THE WITNESS: No, I do not.
18 QUESTIONS BY MR. BOWER:
19 Q. Jeff isn't asking a question
20 here, is he?
21 MS. FUMERTON: Objection.
22 Form.
23 THE WITNESS: I don't see a
24 question.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. In fact, right, he's making a
3 statement, and the statement is, "Ramona
4 thought this was done because of concerns
5 being raised by Florida and West Virginia."
6 That's his statement, correct?
7 A. That's his statement.
8 Q. And you are calling that
9 statement into question today; is that
10 correct?
11 MS. FUMERTON: Objection.
12 Form. Misstates prior testimony.
13 THE WITNESS: I'm saying I
14 don't recall the conversation.
15 QUESTIONS BY MR. BOWER:
16 Q. Are you saying as you sit here
17 today that you did not think that the
18 decision to cut oxy 30 to 20 bottles was
19 being done because of concerns being raised
20 by Florida and West Virginia?
21 MS. FUMERTON: Objection.
22 Form.
23 THE WITNESS: I'm saying I
24 don't recall the conversation.
25

<p style="text-align: right;">Page 306</p> <p>1 QUESTIONS BY MR. BOWER: 2 Q. And I understand you don't 3 recall the conversation, but you also have 4 testified that you don't believe that Jeff 5 accurately reflected the conversation, 6 correct? 7 MS. FUMERTON: Objection. 8 Form. Misstates prior testimony. 9 MR. BOWER: Okay. So let me 10 ask that question then. 11 QUESTIONS BY MR. BOWER: 12 Q. Do you believe that Jeff's 13 e-mail accurately reflects the conversation 14 you had with him? 15 A. I don't recall the 16 conversation. I can't say yes or no to that 17 question. 18 Q. Well, do you have -- and that's 19 what I'm trying to get at, as to why you're 20 doubting it. 21 Do you have any reason to doubt 22 that Jeff would convey a conversation that 23 you had in a way that was inaccurate? 24 MS. FUMERTON: Objection. 25</p>	<p style="text-align: right;">Page 308</p> <p>1 conversation the same day it occurred, 2 correct? 3 MS. FUMERTON: Objection. 4 Form. Lack of foundation. 5 QUESTIONS BY MR. BOWER: 6 Q. Well, let's just read it then. 7 Jeff is writing to Chad. "Chad, I talked to 8 Nick and Ramona about the call we were on 9 today." 10 Do you see that? 11 A. Yes. 12 Q. Does that suggest to you that 13 Jeff is writing this e-mail about a 14 conversation he had with you on the same day? 15 MS. FUMERTON: Objection. 16 Form. 17 THE WITNESS: Yes. 18 QUESTIONS BY MR. BOWER: 19 Q. He goes on to write, "Here are 20 some thoughts we had," correct? 21 A. Yes, that's what it states. 22 Q. "And one of those thoughts that 23 we had," he notes, "is that Ramona thought 24 this was done because of concerns being 25 raised by Florida and West Virginia," right?</p>
<p style="text-align: right;">Page 307</p> <p>1 QUESTIONS BY MR. BOWER: 2 Q. I'll strike that. 3 Do you have any reason to 4 believe that Jeff would describe a 5 conversation you had had with him the same 6 day in an inaccurate way? 7 MS. FUMERTON: Objection. 8 Form. Lack of foundation. 9 THE WITNESS: I just do not 10 recall the conversation. I can't 11 answer that question yes or no. 12 QUESTIONS BY MR. BOWER: 13 Q. And I understand you don't 14 recall it, but Jeff wrote this e-mail the 15 same day the conversation allegedly occurred, 16 correct? 17 MS. FUMERTON: Objection. Form 18 and lack of foundation. 19 THE WITNESS: Yes. 20 QUESTIONS BY MR. BOWER: 21 Q. And as you sit here today, you 22 don't recall the conversation, correct? 23 A. I do not recall the 24 conversation. 25 Q. But Jeff wrote about that</p>	<p style="text-align: right;">Page 309</p> <p>1 That's what he states? 2 A. That's what he states. 3 Q. And he's making that statement 4 on the same day that the conversation 5 occurred, correct? 6 MS. FUMERTON: Objection. 7 Form. Lack of foundation. 8 THE WITNESS: He's making the 9 statement. 10 QUESTIONS BY MR. BOWER: 11 Q. And I understand that you -- 12 your testimony is that you don't recall 13 making the statement. But as you sit here 14 today, my question is, do you have any reason 15 to doubt that Jeff accurately reflected a 16 conversation he had with you? 17 MS. FUMERTON: Objection. Form 18 and lack of foundation and asked and 19 answered. 20 THE WITNESS: I do not know. 21 QUESTIONS BY MR. BOWER: 22 Q. And what is it that you don't 23 know? 24 A. Whether or not he made the 25 statement correctly or incorrectly.</p>

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1 Q. As you sit here today, do you
2 have any reason to believe -- to believe that
3 his statement reflecting a conversation he
4 had with you is inaccurate?
5 MS. FUMERTON: Objection.
6 Form. Lack of foundation. This has
7 been asked numerous times.
8 THE WITNESS: I do not recall.
9 QUESTIONS BY MR. BOWER:
10 Q. I'm not asking you to recall
11 the statement. I'm asking you again -- and I
12 understand there's going to be an objection,
13 but you haven't answered the question.
14 As you sit here today, do you
15 have any reason to believe that Jeff would
16 reflect a conversation he had with you in an
17 inaccurate way?
18 MS. FUMERTON: Objection.
19 Form. Lack of foundation. Misstates
20 the testimony, and I disagree with
21 your characterization.
22 MR. BOWER: All right. Let me
23 strike it. Let me get at it a
24 different way.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. Jeff makes the statement in his
3 e-mail that "Ramona thought this was done
4 because of concerns being raised by Florida
5 and West Virginia," right? That's what Jeff
6 writes?
7 A. That's what Jeff writes.
8 Q. Do you doubt that that
9 statement is accurate?
10 MS. FUMERTON: Objection.
11 Form. Asked and answered.
12 THE WITNESS: With the people
13 present there, I don't know. I don't
14 know who made the statement.
15 QUESTIONS BY MR. BOWER:
16 Q. So is that a yes, you do doubt
17 that you told that information to Jeff?
18 MS. FUMERTON: Objection.
19 Form. Asked and answered.
20 THE WITNESS: Because I don't
21 recall the statement, I don't know.
22 QUESTIONS BY MR. BOWER:
23 Q. And, look, I don't think this
24 is difficult. I understand that you don't
25 recall making the statement, but you're

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1 questioning the statement as it's written and
2 saying it's not accurate.
3 And I'm asking you why you
4 believe it's not an accurate statement.
5 MS. FUMERTON: Objection. Form
6 and misstates her testimony.
7 I've been giving a lot of
8 leeway for you to go at this many
9 ways, as I understand you have that,
10 but at some point it becomes harassing
11 if you keep asking the same question
12 and misstating the testimony every
13 time.
14 MR. BOWER: She's not answering
15 the question. So let me just try it
16 one more time --
17 MS. FUMERTON: I disagree.
18 MR. BOWER: -- and then we'll
19 just ask to read back the question.
20 Okay.
21 QUESTIONS BY MR. BOWER:
22 Q. Jeff writes in an e-mail to
23 Chad, yourself and Nick on March 30, 2017,
24 correct?
25 A. Correct.

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1 Q. Sends an e-mail.
2 In that e-mail he states that
3 "before the SOM program, there was an issue
4 with oxycodone 30 MG in which Kristy S. had
5 6045 cut all orders over 20 bottles of oxy 30
6 to 20 bottles."
7 Do you see that?
8 A. I see that.
9 Q. And do you have any reason to
10 doubt that statement?
11 A. I do because Kristy didn't send
12 the e-mail. I did.
13 Q. And who ordered you to send the
14 e-mail?
15 MS. FUMERTON: Objection.
16 Form.
17 THE WITNESS: I don't recall.
18 QUESTIONS BY MR. BOWER:
19 Q. Did you decide -- was it your
20 decision to cut all oxy orders over
21 20 bottles to 20?
22 A. No. As I stated before, it
23 was -- I was directed to send that
24 information to -- to the DCs.
25 Q. Right.

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1 It doesn't say that Kristy
 2 directed the DCs. It says Kristy made the
 3 decision, right? Kristy had 6045 cut all
 4 orders.
 5 MS. FUMERTON: Objection.
 6 Form. Misstates this document.
 7 QUESTIONS BY MR. BOWER:
 8 Q. Well, that's what it says,
 9 right? "Kristy S. had 6045 cut all orders,"
 10 right?
 11 A. But Kristy didn't ask them to
 12 do that.
 13 Q. Oh. Is that what it says?
 14 MS. FUMERTON: Objection.
 15 Form.
 16 QUESTIONS BY MR. BOWER:
 17 Q. It suggests that Kristy made
 18 the decision, doesn't it?
 19 MS. FUMERTON: Objection.
 20 Form. Misstates the document. Lack
 21 of foundation and asked and answered.
 22 THE WITNESS: That's not how I
 23 read it.
 24 QUESTIONS BY MR. BOWER:
 25 Q. How do you read it?

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1 A. To me, he spoke to Kristy as
 2 well.
 3 Q. Where does he say he spoke to
 4 Kristy?
 5 A. It doesn't say that. That's --
 6 I'm just saying that how I read it is he
 7 spoke to Kristy, and Kristy directed the DCs
 8 to cut that.
 9 But the e-mail didn't come from
 10 Kristy. The e-mail came from me.
 11 Q. So it was you that directed the
 12 DCs to cut oxy 30 to 20?
 13 A. Based off of what I was told to
 14 send to the DCs.
 15 Q. And was it you that made the
 16 decision to --
 17 A. No.
 18 Q. Who made that decision?
 19 A. I don't know.
 20 Q. Okay. So the decision was
 21 made, and you carried out the decision,
 22 correct?
 23 A. Yes.
 24 Q. Kristy S. could have made the
 25 decision, correct?

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1 A. I don't know if she was on the
 2 team or if she was still in compliance or
 3 what. I do not know.
 4 Q. But either way it wasn't you,
 5 right?
 6 A. It was not me.
 7 Q. It wasn't part of your
 8 responsibility, right, to decide to cut
 9 orders of oxy 30, right?
 10 A. That's correct.
 11 Q. The next sentence of the e-mail
 12 says, "Ramona thought that this" --
 13 And "this" refers to the cuts
 14 of oxy 30, right?
 15 MS. FUMERTON: Objection.
 16 Form. Lack of foundation.
 17 QUESTIONS BY MR. BOWER:
 18 Q. What do you believe that "this"
 19 refers to?
 20 A. The oxy 30.
 21 Q. Okay. So "Ramona believes that
 22 this decision to cut oxy 30 was done because
 23 of concerns being raised by Florida and West
 24 Virginia."
 25 Right? That's the intent of

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1 the statement that he's making, correct?
 2 MS. FUMERTON: Objection.
 3 Form. Lack of foundation.
 4 THE WITNESS: That's what the
 5 statement says.
 6 QUESTIONS BY MR. BOWER:
 7 Q. Okay. Is that an accurate
 8 statement?
 9 MS. FUMERTON: Objection.
 10 Asked and answered.
 11 THE WITNESS: I don't recall
 12 it.
 13 MS. FUMERTON: Lack of
 14 foundation.
 15 MR. BOWER: Can you read
 16 back -- I move to strike that answer.
 17 Can you please read back the question?
 18 MS. FUMERTON: Zach, it's
 19 fundamentally unfair, if somebody's
 20 repeatedly telling you they don't
 21 recall something, whether or not it's
 22 an accurate statement.
 23 She's answered that seven ways
 24 from Sunday as to she does not
 25 recall --

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1 MR. BOWER: The question isn't
2 whether --
3 MS. FUMERTON: -- the
4 conversation. You asked whether or
5 not it's accurate.
6 MR. BOWER: I would appreciate
7 the speaking objections to end, okay?
8 It's not -- and just to be clear, my
9 question isn't whether you recall the
10 statement. The question is whether
11 the statement is an accurate
12 statement.
13 MS. FUMERTON: Objection. Form
14 and lack of foundation.
15 THE WITNESS: I can't answer
16 that yes or no because I don't recall
17 the conversation.
18 QUESTIONS BY MR. BOWER:
19 Q. Okay. So then my follow-up
20 question in trying to understand why you're
21 hesitant to believe or agree that the
22 statement is accurate is, is there anything
23 that you can tell us today as to why you are
24 calling into question or refusing to
25 acknowledge that this statement is accurate?

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1 MS. FUMERTON: Objection. Form
2 and lack of foundation.
3 QUESTIONS BY MR. BOWER:
4 Q. Why can't we just agree that
5 this is an accurate statement? You don't
6 recall it, but, yeah, I probably made it.
7 Why are you doubting
8 Mr. Abernathy's statement?
9 MS. FUMERTON: Objection.
10 Form.
11 QUESTIONS BY MR. BOWER:
12 Q. And I'll strike that. I'll ask
13 a question.
14 Do you doubt the accuracy of
15 the statement written by Jeff Abernathy in
16 this e-mail dated March 30, 2017?
17 MS. FUMERTON: Objection.
18 Form. Lack of foundation, and asked
19 and answered 20 times.
20 THE WITNESS: I can't answer
21 that because I don't recall the
22 conversation.
23 QUESTIONS BY MR. BOWER:
24 Q. Okay. So I just want to make
25 sure I understand your answer.

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1 So as you sit here today, you
2 can't tell me whether you doubt the accuracy
3 of this statement; is that correct?
4 A. That's correct.
5 MS. FUMERTON: We've been going
6 about an hour. Can we take a -- if
7 you're moving on.
8 MR. BOWER: Sure. Okay.
9 MS. FUMERTON: It will be a
10 short break. I just need to use the
11 restroom.
12 VIDEOGRAPHER: Going off the
13 record at 2:35 p.m.
14 (Off the record at 2:35 p.m.)
15 VIDEOGRAPHER: We're back on
16 the record at 2:48 p.m.
17 (Walmart-Sullins Exhibit 17
18 marked for identification.)
19 QUESTIONS BY MR. BOWER:
20 Q. Back on the record, Exhibit 17.
21 This is just a short e-mail
22 from Dena McClamroch --
23 A. Yes.
24 Q. It's M-c-C-l-a-m-r-o-c-h.
25 -- to yourself.

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1 Just take a second and review.
2 I just have very few questions on this one.
3 A. Okay.
4 Q. Okay. So can you just
5 explain -- well, first, did you make requests
6 to Reddwerks to make these changes?
7 A. I believe we did.
8 Q. Okay. And do you believe that
9 the changes were made?
10 A. Not to all.
11 Q. Okay. So can we just go
12 through which ones were made and which ones
13 weren't then?
14 A. Yes.
15 Q. Three-digit threshold. First,
16 what does that mean?
17 A. So for -- like for insulin, if
18 they ordered a hundred, there's only a place
19 for two digits.
20 Q. So the request was to enlarge
21 that for places for three digits, correct?
22 A. Correct.
23 Q. And was that change made?
24 A. No.
25 Q. And why not, if you know?

<p style="text-align: right;">Page 322</p> <p>1 A. I don't recall.</p> <p>2 Q. But you do recall requesting</p> <p>3 it?</p> <p>4 A. It was part of the SOW, I</p> <p>5 believe.</p> <p>6 Q. Okay. SOW, you're referring to</p> <p>7 statement of work?</p> <p>8 A. Yes.</p> <p>9 Q. BOD fixed/revised to ensure</p> <p>10 that weekly quantities reset properly.</p> <p>11 Was that change made?</p> <p>12 A. I believe so.</p> <p>13 Q. Were there issues with the</p> <p>14 quantities being reset each week prior to</p> <p>15 that change being made?</p> <p>16 MS. FUMERTON: Objection.</p> <p>17 Form.</p> <p>18 QUESTIONS BY MR. BOWER:</p> <p>19 Q. I'll strike that.</p> <p>20 Were you aware of any issues</p> <p>21 regarding quantities resetting properly prior</p> <p>22 to the change being made?</p> <p>23 MS. FUMERTON: Objection.</p> <p>24 Form.</p> <p>25 THE WITNESS: I don't recall.</p>	<p style="text-align: right;">Page 324</p> <p>1 Q. Okay. Number 4, "ability to</p> <p>2 identify stores on SOM remediation."</p> <p>3 Was that change made?</p> <p>4 A. I don't know.</p> <p>5 Q. Do you know what SOM</p> <p>6 remediation refers to?</p> <p>7 A. No.</p> <p>8 Q. Number 5, "ability to select</p> <p>9 all and the HO action needed, review flagged</p> <p>10 order screen."</p> <p>11 What does that mean?</p> <p>12 A. I'm unsure what that means.</p> <p>13 Q. Okay. Do you know whether that</p> <p>14 change was made?</p> <p>15 A. I don't know.</p> <p>16 Q. Okay. And then the last one,</p> <p>17 "all screens related to SOM exportable to</p> <p>18 Excel."</p> <p>19 Do you see that?</p> <p>20 A. Yes.</p> <p>21 Q. Was that change made?</p> <p>22 A. I do not recall. I don't know</p> <p>23 if that was changed -- if that change was</p> <p>24 made.</p> <p>25 Q. And do you recall whether at</p>
<p style="text-align: right;">Page 323</p> <p>1 QUESTIONS BY MR. BOWER:</p> <p>2 Q. Indicator for orders sent to</p> <p>3 practice compliance.</p> <p>4 What does that refer to?</p> <p>5 A. So when an order was held, they</p> <p>6 wanted to be able to see which one was sent</p> <p>7 to practice compliance for additional review.</p> <p>8 Q. Okay. And when you say "when</p> <p>9 an order was held," do you mean when an order</p> <p>10 was triggered by one of the thresholds or</p> <p>11 something else?</p> <p>12 A. When an order was triggered by</p> <p>13 a threshold.</p> <p>14 Q. Okay. And what about if an</p> <p>15 order was triggered by the threshold and</p> <p>16 cleared at the DC?</p> <p>17 A. They would not -- it would not</p> <p>18 come to the home office for review.</p> <p>19 Q. Okay. So an indicator for that</p> <p>20 order wouldn't be necessary, correct?</p> <p>21 A. No.</p> <p>22 Q. Okay. Do you recall the</p> <p>23 indicator for orders in practice compliance</p> <p>24 change being made?</p> <p>25 A. I believe it was.</p>	<p style="text-align: right;">Page 325</p> <p>1 any point the screens related to SOM were</p> <p>2 exportable to Excel?</p> <p>3 A. I think some screens were.</p> <p>4 Q. What about all screens?</p> <p>5 A. I don't know if all screens</p> <p>6 were.</p> <p>7 Q. And this certainly suggests</p> <p>8 that at least prior to 1/25/2016, all screens</p> <p>9 related to SOM were not exportable to Excel.</p> <p>10 Would you agree with that?</p> <p>11 A. Yes.</p> <p>12 Q. So at some point did you become</p> <p>13 involved by a request for certain records</p> <p>14 from the State of Ohio?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. And can you just tell us</p> <p>17 just at a high level what your involvement</p> <p>18 was and what the request was?</p> <p>19 A. So my involvement was to ask</p> <p>20 for ISD to pull those records. Then I sent</p> <p>21 that over to compliance for them to submit.</p> <p>22 (Walmart-Sullins Exhibit 18</p> <p>23 marked for identification.)</p> <p>24 MS. FUMERTON: We're on 18?</p> <p>25 MR. BOWER: We are on 18, yes.</p>

<p style="text-align: right;">Page 326</p> <p>1 QUESTIONS BY MR. BOWER: 2 Q. So I'm handing you Exhibit 18. 3 I just have a few questions on this in light 4 of the fact that -- if you'll note, the 5 e-mail from Chad to yourself is redacted, and 6 that redaction was by Walmart. 7 I obviously can't ask you 8 questions on what Chad asked you to do. I 9 would like to, but we have to resolve that at 10 a later issue. 11 Do you recall Chad sending you 12 advice from counsel in this communication? 13 A. Can I read through it? 14 Q. Sure. Yeah. Please take your 15 time. 16 A. Okay. 17 Q. And do you recall Chad sending 18 you advice from counsel in this first e-mail 19 on 2/24/2016? 20 A. I do not recall. 21 Q. Did Chad's e-mail to you on 22 2/24/2016 reflect legal advice? 23 A. I do not recall. 24 Q. Do you recall what Chad asked 25 you to do?</p>	<p style="text-align: right;">Page 328</p> <p>1 A. No. 2 Q. Did you respond to him, saying, 3 "hey, I can get this information"? 4 A. I don't recall. 5 Q. Do you recall seeing the e-mail 6 from him seeking the information? 7 A. No, I do not recall that. 8 Q. All right. Do you recall who 9 asked you to get the information? 10 A. No, I don't. 11 Q. Do you recall who you asked at 12 ISD to pull the information? 13 A. It could have been a group of 14 people. I don't recall who I sent it to. 15 Q. Okay. So let's look then at 16 what information is actually being requested, 17 okay, which is kind of the last three pages 18 of that exhibit. 19 A. Uh-huh. 20 Q. And let's just look at 6045, I 21 guess, because it's all very similar, which 22 is the second one at Bates ending in 22804. 23 Do you see that? 24 A. Yes. 25 Q. Okay. So here we have a letter</p>
<p style="text-align: right;">Page 327</p> <p>1 Just yes or no. Do you recall 2 what Chad asked you to do, if anything? 3 A. No, I do not. 4 Q. Do you recall receiving this 5 e-mail from Chad? 6 A. I do not recall receiving this 7 e-mail from Chad. 8 Q. But you recall generally 9 this -- this event occurring, correct? 10 A. Yes. 11 Q. Okay. And by "this event," I 12 mean the Ohio's -- Ohio's request for certain 13 information. 14 A. Yes. 15 Q. Okay. And so if you look kind 16 of down in the e-mail -- you are initially 17 included on one of the e-mails, the e-mail 18 from Arlin Horst. 19 Who is that? Arlin, A-r-l-i-n, 20 H-o-r-s-t? 21 A. He is a operations manager at 22 DC 6046. 23 Q. Okay. And for some reason he 24 adds you to the e-mail string. 25 Do you have any idea why?</p>	<p style="text-align: right;">Page 329</p> <p>1 from the State of Ohio Board of Pharmacy, 2 correct? 3 A. Yes. 4 Q. Directed to Walmart Pharmacy 5 Warehouse 6045, correct? 6 A. Yes. 7 Q. And the letter is dated 8 2/25/2016, right? 9 A. Yes. 10 Q. So -- and they're looking 11 for -- they write -- strike that. 12 They write in their letter, 13 "Please advise dates of quantities of all 14 transactions, parentheses, purchases, 15 returns, credits, et cetera, close 16 parentheses, of all controlled substances to 17 any and all locations within the state of 18 Ohio purchased from your company for the 19 period 10/27/2011 through present day." 20 Do you see that? 21 A. I see that. 22 Q. Was that information available 23 to Walmart as of 2/25/2016? 24 A. I don't know how far back the 25 data went.</p>

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1 Q. That's my question to you.
2 As you sit here today, you
3 don't know whether you complied with this
4 request?
5 MS. FUMERTON: Objection.
6 Form.
7 THE WITNESS: I don't know if
8 we could pull data as far back as
9 2011.
10 QUESTIONS BY MR. BOWER:
11 Q. Before -- before I hand you the
12 next exhibit, where would you -- what are the
13 available data sources where you could look
14 for this information?
15 A. It would be in Teradata.
16 Q. Anywhere else?
17 A. I don't know if it existed
18 anywhere else.
19 Q. Do you recall asking everyone?
20 Strike that.
21 When you received this request,
22 do you recall asking anyone whether Walmart
23 could comply with the request?
24 A. I don't recall that.
25 Q. Do you recall having any

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1 concerns about Walmart's ability to pull data
2 going back to 10/27/2011?
3 A. I don't recall that.
4 (Walmart-Sullins Exhibit 19
5 marked for identification.)
6 QUESTIONS BY MR. BOWER:
7 Q. You've been handed what's been
8 marked as Exhibit 19.
9 Do you see that?
10 A. Yes.
11 Q. Okay. Take a moment to review
12 it. I'm just trying to get to the bottom of
13 whether Walmart complied with this request
14 and whether it was able to, in fact, go back
15 to 2011 and gather that information.
16 Okay?
17 And just so that you're aware,
18 this was produced as an Excel. We just
19 pulled the first kind of page of it.
20 A. Okay.
21 Q. Because as you might imagine, a
22 lengthy document.
23 A. Okay.
24 Q. Okay. Does this refresh your
25 recollection of whether Walmart was able to

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1 go back to the requested time period in 2011
2 and provide the data requested by the State
3 of Ohio Board of Pharmacy?
4 A. Yes, I see the date's on here.
5 Q. And where are you looking, just
6 so the record can reflect what you're looking
7 at?
8 A. I'm looking at the spreadsheet,
9 and the date on there is 10/27/2011.
10 Q. So it indeed appears that
11 Walmart could go back and get the requested
12 information, correct?
13 A. Correct.
14 Q. And does this spreadsheet, to
15 you, appear to be one that was pulled from
16 the Teradata source that you mentioned?
17 A. It would appear.
18 Q. Okay. And why do you say that?
19 What are you looking at to draw
20 the conclusion?
21 A. Only because that's the only
22 place I know that the data existed.
23 Q. Okay. Fair enough.
24 So nothing on this document
25 itself suggests it to you. Just simply your

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1 experience with the data, correct?
2 A. Correct.
3 Q. Okay. I just have then some --
4 a couple questions on the columns. Okay?
5 The first column A says, "6045
6 DEA."
7 Do you see that?
8 A. Yes.
9 Q. Are the numbers below that --
10 what do those reflect?
11 A. The DEA number for the DC.
12 Q. Okay. So those would all be
13 the same then, correct, throughout this
14 entire spreadsheet, right?
15 A. Yes.
16 Q. Okay. And then the sale
17 purchase reflects that it was a sale from the
18 DC?
19 A. Yes.
20 Q. Correct?
21 The NDC would reflect the
22 individual product, right?
23 A. Yes.
24 Q. Okay. The quantity would be in
25 bottles, correct?

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1 A. Yes.
2 Q. What does the purchaser DEA
3 reflect?
4 A. The store number, the store DEA
5 number.
6 Q. So that would be the individual
7 pharmacy's DEA number within Ohio, correct?
8 A. Yes.
9 Q. Okay. What about the next
10 column, 222/CSOS ID?
11 A. So that would be either the 222
12 form number or the CSOS order ID.
13 Q. And does that information
14 depend on the time period that the order was
15 placed?
16 A. Yes.
17 Q. Because at some point they
18 moved from 222s to the CSOS, right?
19 A. Yes.
20 Q. Are those IDs unique to an
21 order?
22 A. To a form. If it's a 222.
23 If it's a CSOS order ID, it
24 would be -- because the 222 form only has
25 room for ten items.

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1 Q. Okay.
2 A. And so a CSOS order ID would be
3 the entire order.
4 Q. And then the date, I think, is
5 self-explanatory, right?
6 A. Yes.
7 Q. And is that the date the order
8 is placed or the date the order is filled?
9 A. The date the order is shipped
10 and filled.
11 Q. I see the state. Again,
12 self-explanatory.
13 And then the store, do you know
14 what that reflects?
15 A. The store number.
16 Q. Is that different than the
17 purchaser DEA?
18 A. It should be one in the same.
19 Q. And the description is
20 self-explanatory, right?
21 A. Yes.
22 Q. Okay. And then I note that --
23 so if you go back to the prior exhibit,
24 you'll see that the State of Ohio is
25 requesting dates and quantity of all

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1 transactions, and then in parentheses they
2 have purchases, returns, credits, et cetera.
3 Do you see that?
4 A. Yes.
5 Q. Was Walmart able to provide
6 information regarding returns?
7 A. We didn't do returns to the
8 C-II facility.
9 Q. Okay. What about credits?
10 A. I don't know what a credit
11 would be.
12 Q. So is it your understanding
13 that Walmart didn't provide any information
14 related to credits in connection with this
15 response?
16 MS. FUMERTON: Objection. Form
17 and lack of foundation.
18 THE WITNESS: I don't know what
19 a credit is, so I don't know -- I
20 can't answer whether we did or didn't.
21 QUESTIONS BY MR. BOWER:
22 Q. Okay. Do you have any
23 understanding why Sarah Eisler -- there's her
24 name. It's E-i-s-l-e-r.
25 She's Mr. Ducote's assistant,

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1 correct?
2 A. She's an associate on the team.
3 Q. What's that?
4 A. She's an associate on the team.
5 Q. Okay. Her -- I note that her
6 signature says "Sarah Eisler, administrative
7 assistant to Chad Ducote."
8 What does that mean?
9 A. So she had some administrative
10 duties.
11 Q. So she kind of played a dual
12 role on the team?
13 A. Yes.
14 Q. Do you have any idea why she's
15 cc'ing you on the response to the Ohio board
16 of governor -- board of pharmacies?
17 A. No.
18 Q. Were you surprised to be
19 included in this e-mail?
20 A. No.
21 (Walmart-Sullins Exhibit 20
22 marked for identification.)
23 QUESTIONS BY MR. BOWER:
24 Q. Okay. You've been handed
25 what's been marked as Exhibit 20. It's just

<p style="text-align: right;">Page 338</p> <p>1 another response to the Ohio board of 2 governors {sic} with a different time frame 3 for the data. 4 So I just have a few questions 5 regarding kind of the different format of the 6 attachment. 7 A. Okay. 8 Q. So take a look. I just -- the 9 principal question is whether this data may 10 have come from a different source. 11 Do you know whether it did? 12 A. I don't know whether it did. 13 Q. Is it your understanding this 14 data would have also come from the Teradata 15 location? 16 A. Yes. 17 Q. Okay. Do you have -- do you 18 see -- if you compare -- if you compare the 19 prior spreadsheet to this one, this has 20 different columns, for example, strength, 21 which I don't think appears in the other one. 22 Certainly correct me if I missed something. 23 A. Yes, I see that. 24 Q. Okay. Do you have an 25 understanding as to why there's a difference</p>	<p style="text-align: right;">Page 340</p> <p>1 tables that we would use for ARCOS reporting. 2 Q. Well, can you just describe 3 what you mean by tables? 4 A. Not table. The server. Sorry. 5 Q. What server is that? Does it 6 have a name? 7 A. It does, but I don't know what 8 the name is. 9 Q. Is it a dedicated ARCOS server? 10 A. No, it's a HONS number. 11 Q. Did you have the capability of 12 pulling the data yourself? 13 A. No. 14 Q. You didn't have access to the 15 Teradata database? 16 A. I have access to some tables. 17 Not all things. 18 Q. Did you have access to the 19 tables -- what do you mean by -- strike that. 20 What do you mean by tables? 21 A. Like an invoice table, a 22 purchase order table. 23 Q. Did you have access to this 24 information reflected on the attachment to 25 Exhibit 20?</p>
<p style="text-align: right;">Page 339</p> <p>1 in the data being provided? 2 A. No. 3 MS. FUMERTON: Objection. 4 Form. Lack of foundation. Sorry. 5 THE WITNESS: No, I don't. 6 QUESTIONS BY MR. BOWER: 7 Q. Well, you were the one who 8 requested the data from ISD, correct? 9 A. Yes, I sent the initial 10 request. 11 Q. And did they send the results 12 of that request to you? 13 A. No, they put those on a server 14 because it was too big to send via e-mail. 15 Q. And how did they notify you 16 that the data was then available? 17 A. Either by phone call or an 18 e-mail. 19 Q. Okay. And then how did you 20 convey that that was available to Ms. Eisler? 21 A. I may have walked up to her 22 desk and told her that it was available. 23 Q. And how would she have known 24 where to get it? 25 A. Because it was on the same</p>	<p style="text-align: right;">Page 341</p> <p>1 MS. FUMERTON: Objection. 2 Form. 3 THE WITNESS: No, I don't 4 believe so. 5 QUESTIONS BY MR. BOWER: 6 Q. Do you know why that was? 7 A. No. 8 Q. Okay. Were you ever -- well, 9 strike that. Let's finish up this one. 10 Do you know whether the 11 strength column is a column that exists in 12 the Teradata database? 13 A. It does. 14 Q. Are there other columns that 15 you're aware of that aren't on the exhibit 16 to -- the exhibit to Exhibit 20? 17 A. I'm not sure I understood your 18 question. 19 Q. Strike that, and I'll rephrase 20 it. 21 You would agree with me, 22 wouldn't you, that exhibit to Exhibit 20 has 23 different information than the exhibit to 24 Exhibit 19, correct? 25 A. Yes.</p>

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1 Q. Okay. Other than this strength
2 column that is not on exhibit to Exhibit 19,
3 are there any other columns or sources of
4 information that are not reflected on these
5 exhibits that relate to the purchase or sale
6 of C-II products?
7 MS. FUMERTON: Objection.
8 Form.
9 THE WITNESS: There's other --
10 there's other information that you can
11 add to the report.
12 QUESTIONS BY MR. BOWER:
13 Q. And what information is that?
14 A. Let me look at it. Store name,
15 store city and state, vendor name, vendor
16 number.
17 Q. Do you know how the data in
18 this Teradata database is populated?
19 A. No, I do not.
20 Q. Do you know where it comes
21 from?
22 A. No.
23 Q. Do you know whether it comes
24 directly from the DCs?
25 A. I would say, yes, some of that

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1 data comes from the DC.
2 Q. Where else could it come from?
3 In other words, what are the other sources of
4 data at Walmart that could populate the
5 Teradata database?
6 A. From a supplier, purchases from
7 a supplier. Store data.
8 Q. Are you familiar with a
9 database or other system called Retail Link?
10 A. Yes.
11 Q. And what is Retail Link?
12 A. It is a web-based system that
13 suppliers use to pull their own data, that
14 they have access to it.
15 Q. Did you have access to it?
16 A. I did have access to it.
17 Q. Did you ever actually access
18 it?
19 A. Yes.
20 Q. For what purpose?
21 A. It also has information about
22 the JLN numbers for each DC or store. It had
23 alignment information by store. It had
24 information about which store had a optical
25 center in it. Just various information that

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1 was in it.
2 Q. Do you know how the information
3 in Retail Link was populated?
4 A. I do not know.
5 Q. Okay. What does -- what do you
6 mean by alignment information by store? What
7 does that mean?
8 A. So stores aligned for general
9 merchandise. It's -- so which DC services
10 that store for general merchandise, which DC
11 services that store for groceries, fresh,
12 which DC services that store for
13 pharmaceuticals.
14 Q. Does Retail Link have pricing
15 information?
16 MS. FUMERTON: Objection.
17 Form.
18 QUESTIONS BY MR. BOWER:
19 Q. If you know.
20 A. I don't know.
21 Q. Did there come a time when
22 you -- strike that.
23 Did there come a time when
24 Mr. Hermans was the main contact for
25 Reddwerks?

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1 A. Yes, he took -- he took that
2 ownership of that relationship.
3 Q. And when was that
4 approximately?
5 A. I don't recall when he came on
6 to that system change.
7 Q. And do you recall why that
8 change was made?
9 A. They wanted to run projects
10 through that team, and I -- and I did the --
11 I would bring the requests for projects to
12 RJ, and then he would submit those to
13 Reddwerks for -- to get a statement of -- a
14 scope of work.
15 Q. And I'm sorry, what team was he
16 on?
17 A. He was on the logistics systems
18 team.
19 (Walmart-Sullins Exhibit 21
20 marked for identification.)
21 QUESTIONS BY MR. BOWER:
22 Q. Okay. You've been handed
23 what's been marked as Exhibit 21. I just
24 have a few questions regarding this e-mail
25 string.

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1 A. Okay.
2 Q. Okay. Can you just explain
3 generally what's going on here?
4 A. I think it was some of the
5 changes that were requested by Dena.
6 Q. And you were surprised at the
7 cost of those changes, correct?
8 A. Yes.
9 Q. And did you say "WOW" in all
10 caps? "110K to make changes to some
11 screens"? Right?
12 A. Yes, that's what I said.
13 Q. Why were you surprised at the
14 cost?
15 A. Because I didn't understand why
16 it would take that amount to move -- like,
17 for instance, to go from two digits to three
18 digits.
19 Q. Why did you care?
20 MS. FUMERTON: Objection.
21 Form.
22 THE WITNESS: It sounded like a
23 simple code to me. I --
24 QUESTIONS BY MR. BOWER:
25 Q. But did it matter to you how

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1 much Walmart was paying for changes to
2 enhance its SOM program?
3 MS. FUMERTON: Objection.
4 Form.
5 THE WITNESS: I'm sorry, ask
6 that again.
7 QUESTIONS BY MR. BOWER:
8 Q. Well, these -- this -- if you
9 notice the e-mail from Heather Carol to RJ at
10 the bottom of that first page, right, it
11 says, "Please find attached the statement of
12 work for the SOM enhancements."
13 Do you see that?
14 A. Yes.
15 Q. So why did it matter to you how
16 much Walmart would have to pay for SOM
17 enhancements?
18 MS. FUMERTON: Objection.
19 Form.
20 THE WITNESS: It was the items
21 that Dena had brought up.
22 QUESTIONS BY MR. BOWER:
23 Q. So this change was for those
24 items we discussed earlier?
25 A. Yes.

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1 Q. Okay. And this was a lot of
2 money for those changes, in your mind?
3 A. For how I understood the
4 changes.
5 Q. And can you explain to me
6 why -- why it would be -- seem unusual to
7 you?
8 A. Again, because I thought just
9 adding an extra digit didn't seem like it
10 would take much coding time.
11 Q. Well, we went through a series
12 of five changes, right, that were -- that
13 Walmart had requested?
14 A. Right.
15 Q. Right.
16 So could this be for all five
17 of those changes?
18 A. Not knowing what all the
19 changes that were included in the SOW.
20 Q. Right. We would need actually
21 to see the SOW, right?
22 A. Right.
23 Q. And would the cost, the 110,000
24 cost, impact whether Walmart went ahead with
25 those changes?

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1 MS. FUMERTON: Objection.
2 Form.
3 THE WITNESS: No.
4 QUESTIONS BY MR. BOWER:
5 Q. Why not?
6 A. I still would like to get it at
7 a lower cost.
8 Q. Well, what if that was the
9 cost; would Walmart approve those changes?
10 MS. FUMERTON: Objection.
11 Form.
12 THE WITNESS: Yes, they would
13 approve those changes.
14 QUESTIONS BY MR. BOWER:
15 Q. Were those changes, in fact,
16 made?
17 A. I know some were. I don't know
18 what all were made.
19 Q. Well, you testified earlier
20 that some were not, right?
21 MS. FUMERTON: Objection.
22 Form.
23 THE WITNESS: I did testify to
24 that earlier.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. And isn't it the case that some
3 changes weren't made because Walmart deemed
4 the cost to be too high?
5 MS. FUMERTON: Objection.
6 Form. Lack of foundation.
7 THE WITNESS: Not that I
8 recall.
9 QUESTIONS BY MR. BOWER:
10 Q. Well, do you know whether
11 Walmart decided not to pursue some SOM
12 enhancements due to the high cost?
13 MS. FUMERTON: Objection.
14 Form.
15 THE WITNESS: Not that I
16 recall.
17 QUESTIONS BY MR. BOWER:
18 Q. Do you know whether it occurred
19 or not?
20 MS. FUMERTON: Objection.
21 Form. Asked and answered.
22 THE WITNESS: I do not recall
23 that.
24 QUESTIONS BY MR. BOWER:
25 Q. What is it that you don't

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1 recall specifically?
2 A. Whether or not we didn't make
3 changes to a system.
4 Q. Right.
5 So it could be the case that
6 Walmart decided not to pursue changes due to
7 the high cost; isn't that correct?
8 MS. FUMERTON: Objection.
9 Form. Lack of foundation.
10 THE WITNESS: That is not
11 correct.
12 QUESTIONS BY MR. BOWER:
13 Q. And what's your basis for that
14 statement?
15 A. Because of the changes that we
16 made for other systems and the cost for
17 those.
18 Q. Well, for each of the changes,
19 Walmart had to make a business decision of
20 whether the change was worth it, didn't it?
21 MS. FUMERTON: Objection.
22 Form. Lack of foundation.
23 THE WITNESS: I don't know that
24 it was a business decision. Some of
25 those were compliance and made the

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1 changes.
2 (Walmart-Sullins Exhibit 22
3 marked for identification.)
4 QUESTIONS BY MR. BOWER:
5 Q. You've been handed what's been
6 marked as Exhibit 22, which is an e-mail four
7 days later regarding Reddwerks' enhancements.
8 Please take a moment to review that document.
9 A. Okay. Okay.
10 Q. Okay. This e-mail is four days
11 after exhibit -- prior exhibit, Exhibit 21?
12 A. No.
13 Q. I'm sorry, you're right. My
14 mistake. A month and four days.
15 Right?
16 A. Yes.
17 Q. And does this relate to the
18 enhancements referenced in Exhibit 22, or are
19 these different enhancements?
20 MS. FUMERTON: Zach, I think
21 you misspoke on the exhibit.
22 MR. BOWER: I think you're
23 right.
24 QUESTIONS BY MR. BOWER:
25 Q. So the enhancements referenced

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1 in Exhibit 22 -- I'll strike that.
2 Are the enhancements referenced
3 in Exhibit 22 different than the enhancements
4 referenced in Exhibit 21?
5 A. I do not know if they are
6 different.
7 Q. So, for example, if you look at
8 the e-mail from RJ to yourself on August 29th
9 at 4:32, he -- number 5, "SOM enhancements -
10 three requirements sent to Reddwerks.
11 Awaiting business decision as cost is
12 extremely high."
13 Do you see that?
14 A. I see that.
15 Q. So before when I asked you
16 whether Walmart had to make a business
17 decision regarding SOM enhancements, you took
18 issue with "make a business decision," right?
19 MS. FUMERTON: Objection.
20 Form.
21 QUESTIONS BY MR. BOWER:
22 Q. Do you recall having issue with
23 my choice of words?
24 MS. FUMERTON: Objection.
25 Form.

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1 THE WITNESS: Do I recall
2 having an issue with --
3 QUESTIONS BY MR. BOWER:
4 Q. An issue with my -- my question
5 regarding whether Walmart makes a business
6 decision in deciding whether to go forward
7 with SOM enhancements.
8 MS. FUMERTON: Objection.
9 Form.
10 THE WITNESS: I'm not
11 understanding your question.
12 QUESTIONS BY MR. BOWER:
13 Q. All right. I'll ask it a
14 different way.
15 Does Walmart make a business
16 decision when deciding whether to pursue
17 enhancements to its SOM program?
18 MS. FUMERTON: Objection.
19 Form.
20 THE WITNESS: No, it's a
21 compliance issue.
22 QUESTIONS BY MR. BOWER:
23 Q. All right. So when RJ is
24 writing that he's "awaiting business decision
25 as cost is extremely high," what does he

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1 mean?
2 MS. FUMERTON: Objection.
3 Form.
4 QUESTIONS BY MR. BOWER:
5 Q. Well, you're the only one on
6 the e-mail, right, other than RJ, right?
7 A. Yes.
8 Q. And he's updating you to
9 confirm that you agree with the priority
10 list, right?
11 A. Yes.
12 Q. And you confirm that you -- you
13 state, "RJ, I agree with the priority list,"
14 right?
15 A. I do.
16 Q. So what was your understanding
17 of what he meant when he said "awaiting a
18 business decision as cost is extremely high"?
19 A. Someone in compliance was going
20 to make that decision.
21 Q. Whether compliance was going to
22 make that business decision; is that correct?
23 MS. FUMERTON: Objection.
24 Form.
25 THE WITNESS: Yes.

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1 QUESTIONS BY MR. BOWER:
2 Q. That's not what he said,
3 though, is it?
4 A. That's not what he said.
5 Q. And then at the bottom he
6 further explains, I think, himself when he
7 says, "Really the question becomes how much
8 money do we want to spend on SOM
9 enhancements, and do we want to budget money
10 for it to work on next year or pay for some
11 of it this year somehow?"
12 Do you see that?
13 A. I see that.
14 Q. Why is he -- why is he
15 concerned about spending money on SOM
16 enhancements?
17 MS. FUMERTON: Objection.
18 Form. Lack of foundation.
19 THE WITNESS: I don't know why
20 he's concerned about that.
21 QUESTIONS BY MR. BOWER:
22 Q. Well, he's -- no one else he's
23 sending this e-mail to, right?
24 A. I don't know. I mean, he's
25 sending it to me. I don't know if he sent it

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1 to somebody else as well.
2 Q. There's no one else on here,
3 right?
4 A. Not on this particular e-mail,
5 no.
6 Q. I mean, we can at least agree
7 on that, right?
8 A. Yes.
9 Q. Okay. And you're agreeing with
10 him, right? You're agreeing with his
11 priority list?
12 A. With the list that he's got
13 there, yes.
14 Q. Right.
15 And that list is further
16 explained where he says 1 and 2 on his list
17 are really not debatable, right?
18 MS. FUMERTON: Objection.
19 Form.
20 QUESTIONS BY MR. BOWER:
21 Q. Do you see that?
22 He says, "1 and 2 are really
23 not debatable. Number 2 has to complete or
24 nearly complete by the end of the year to
25 avoid service support penalties and

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1 end-of-life harbor issues," right?
 2 He's referring to 1 and 2 on
 3 this list, isn't he?
 4 A. Yes.
 5 Q. Okay. And then he goes on to
 6 say, after discussing 1 and 2, "Really the
 7 question becomes how much money do we want to
 8 spend on SOM enhancements," right?
 9 A. Yes.
 10 Q. And the only SOM enhancements
 11 referenced on his list are number 5, aren't
 12 they?
 13 MS. FUMERTON: Objection.
 14 Form.
 15 THE WITNESS: Yes.
 16 QUESTIONS BY MR. BOWER:
 17 Q. And he puts that as a number 5
 18 priority out of six things, right?
 19 A. Yes.
 20 Q. And you're agreeing with that
 21 priority list, correct?
 22 A. Yes.
 23 Q. So you're agreeing that these
 24 other things are more important than SOM
 25 enhancements, correct?

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1 MS. FUMERTON: Objection.
 2 Form.
 3 THE WITNESS: I'm agreeing with
 4 the list, yes.
 5 QUESTIONS BY MR. BOWER:
 6 Q. And in that list, that list
 7 reflects that 1 through 4 are more important
 8 priorities than the SOM enhancements,
 9 correct?
 10 MS. FUMERTON: Objection.
 11 Form. Misstates the document.
 12 QUESTIONS BY MR. BOWER:
 13 Q. Well, this is -- 1 through 6 is
 14 a priority list, correct?
 15 A. Yes.
 16 Q. Right?
 17 And number 5 is the SOM
 18 enhancements, correct?
 19 A. Yes.
 20 Q. And you agree with that
 21 priority list, correct?
 22 A. Yes, I do.
 23 Q. Approximately how long after
 24 this did Buzzeo roll out?
 25 A. It rolled out in August.

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1 Q. August of 2016?
 2 A. Yes.
 3 Q. At 6045?
 4 A. Yes, at all buildings.
 5 Q. And before we go to the next
 6 exhibit, you must have been aware in 2016
 7 that the nation was in an opioid crisis,
 8 weren't you?
 9 MS. FUMERTON: Objection.
 10 Form.
 11 THE WITNESS: That the nation
 12 was?
 13 QUESTIONS BY MR. BOWER:
 14 Q. Was in the middle of an opioid
 15 epidemic, a crisis.
 16 MS. FUMERTON: Objection.
 17 Form.
 18 THE WITNESS: I don't know
 19 when -- when I learned of that from
 20 the news, but --
 21 QUESTIONS BY MR. BOWER:
 22 Q. Do you disagree that the nation
 23 was in the middle of an opioid crisis in
 24 2016?
 25 MS. FUMERTON: Objection.

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1 Form.
 2 THE WITNESS: I don't know when
 3 I learned of that from the news.
 4 (Walmart-Sullins Exhibit 23
 5 marked for identification.)
 6 QUESTIONS BY MR. BOWER:
 7 Q. Okay. So you've been handed
 8 what's been marked as Exhibit 23, and I'm
 9 just trying to nail the timeline down for
 10 Buzzeo.
 11 And I think that you just
 12 testified a minute ago that it rolled out in
 13 2016, so I just want to try to nail down the
 14 timeline in light of Exhibit 23.
 15 A. Okay.
 16 Q. Okay. So my first question:
 17 Were you aware that this exhibit, an e-mail,
 18 refreshes your recollection of when Buzzeo
 19 rolled out at 6045?
 20 MS. FUMERTON: Have you had a
 21 chance to review it, too.
 22 QUESTIONS BY MR. BOWER:
 23 Q. Yes, please do. I just wanted
 24 to kind of frame your thoughts as you were
 25 looking at it.

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1 A. Okay.
2 Q. Okay. Does this refresh your
3 recollection as to when the Buzzeo rolled out
4 at 6045?
5 A. It does now.
6 Q. Okay. And so based on that, I
7 guess, refreshment, when did Buzzeo finally
8 roll out at 6045?
9 MS. FUMERTON: Objection.
10 Form.
11 QUESTIONS BY MR. BOWER:
12 Q. Well, I'll strike that then.
13 When did Walmart roll out
14 Buzzeo at 6045?
15 A. I believe it was in November of
16 that year then.
17 Q. In November of 2017, correct?
18 A. Correct.
19 Q. And so the previous exhibit
20 where Walmart is prioritizing SOM
21 enhancements, five out of six, still another
22 almost year and a half until Buzzeo rolls out
23 to 6045, right?
24 A. Yes.
25 Q. And if you see here on

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1 Exhibit 23, I guess the end of that first
2 paragraph, "The decision was made to turn off
3 Buzzeo by Ramona."
4 Do you see that?
5 A. Yeah, it says "by Ramona and
6 I."
7 Q. And it says, "and I support
8 her," right?
9 A. Yes.
10 Q. So Nick was supporting you in
11 that decision, right?
12 A. Yes.
13 Q. But it was your decision,
14 right?
15 A. With support from compliance.
16 Q. And what factors led you to
17 make that decision?
18 A. Because of the bug of the
19 augmented picks.
20 Q. Did you consider anything else
21 in making that decision?
22 A. Not that I can think of.
23 Q. For example, did you consider
24 whether Buzzeo provided improved SOM
25 enhancements over Reddwerks?

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1 A. Well, it wasn't considering all
2 the orders because it was deleting orders.
3 Q. Which orders was it deleting?
4 A. The augmented picks.
5 Q. And how long had Buzzeo been
6 deleting augmented picks at 6045?
7 A. When they turned it on that
8 day.
9 Q. Okay. So it was one day?
10 A. Yes.
11 Q. Okay. And do you see where
12 Nick writes, "We will move forward tomorrow
13 utilizing the Reddwerks SOM program until
14 opportunities in Buzzeo are corrected"?
15 Do you see that?
16 A. I see that.
17 Q. So was Buzzeo going to take
18 over the SOM program from Reddwerks?
19 A. Yes.
20 Q. Any understanding as to why it
21 didn't roll out for another three to four
22 months at 6045?
23 MS. FUMERTON: Objection.
24 Form. Misstates testimony.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. Well, strike that then.
3 How long after this was Buzzeo
4 finally implemented at 6045?
5 A. In November.
6 Q. So approximately three months
7 later, correct?
8 A. Yes.
9 Q. And approximately almost a year
10 and a half after Walmart had deprioritized
11 its SOM enhancements, correct?
12 MS. FUMERTON: Objection.
13 Form. Misstates the document.
14 THE WITNESS: After those
15 enhancements that Dena brought up.
16 QUESTIONS BY MR. BOWER:
17 Q. After the priority list that
18 you agreed with, right?
19 A. Yes.
20 Q. Was there any urgency on
21 Walmart's part to get Buzzeo up and running
22 at 6045?
23 MS. FUMERTON: Objection.
24 Form.
25 THE WITNESS: I was not privy

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1 to those conversations.
2 QUESTIONS BY MR. BOWER:
3 Q. Did any of those -- any of
4 those SOM issues impact your decision to turn
5 off Buzzeo at 6045?
6 MS. FUMERTON: Objection.
7 Form. Lack of foundation.
8 THE WITNESS: Ask your question
9 again? Sorry. I didn't understand
10 it.
11 QUESTIONS BY MR. BOWER:
12 Q. Did you consider Walmart's
13 suspicious order monitoring program in your
14 decision to turn off Buzzeo at 6045?
15 MS. FUMERTON: Objection.
16 Form.
17 THE WITNESS: We had a backup.
18 QUESTIONS BY MR. BOWER:
19 Q. Was it your understanding that
20 that backup system was similar to the Buzzeo
21 system?
22 MS. FUMERTON: Objection.
23 Form.
24 THE WITNESS: I didn't know how
25 Buzzeo worked.

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1 QUESTIONS BY MR. BOWER:
2 Q. So you didn't know whether
3 turning off the Buzzeo would impact Walmart's
4 SOM program, did you?
5 MS. FUMERTON: Objection.
6 Form.
7 THE WITNESS: It was not
8 considering those picks, those
9 augmented picks.
10 QUESTIONS BY MR. BOWER:
11 Q. So my question is a little bit
12 different, okay?
13 I'm just trying to get at
14 what -- whether you considered Walmart's SOM
15 program in connection with your decision to
16 turn off Buzzeo at 6045.
17 MS. FUMERTON: Objection.
18 Form.
19 THE WITNESS: I partnered with
20 compliance when we made the decision.
21 QUESTIONS BY MR. BOWER:
22 Q. Who did you partner with at
23 compliance?
24 A. With Miranda.
25 Q. And how did you partner with

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1 her?
2 A. I called her.
3 Q. And what did you say to her?
4 A. I told her what the issue was.
5 Q. And what did you convey as
6 being the issue to her?
7 A. The augmented picks.
8 Q. And what did she say to you?
9 A. I don't recall what she said.
10 Q. Do you recall her agreeing with
11 your decision to turn it off at 6045?
12 A. I'm sure that was part of the
13 conversation.
14 Q. Do you recall the conversation?
15 A. I don't recall all of the
16 conversation. I recall calling her about the
17 issue.
18 Q. Why did you call her?
19 A. She was in compliance.
20 Q. But why did you call her
21 specifically?
22 A. It was her project.
23 Q. Buzzeo was her project?
24 A. Yes.
25 Q. And why did you -- at this

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1 point, this is August 9, 2017, right?
2 A. Yes.
3 Q. When did you get back involved
4 in the Buzzeo project?
5 A. It was that day.
6 Q. That day?
7 A. Yes.
8 Q. Someone called you in and said,
9 "Hey, we got a problem"?
10 MS. FUMERTON: Objection.
11 Form.
12 QUESTIONS BY MR. BOWER:
13 Q. Well, strike that.
14 Then how did you become
15 involved that day?
16 A. Someone from ISD called me.
17 Q. And what did they tell you?
18 A. They wanted us to look at the
19 orders that were sent to 6020 -- or 6045.
20 Q. Did you attend meetings --
21 strike that.
22 Did you attend SOM review
23 meetings?
24 A. Yes.
25 Q. And what was the reason you

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1 attended those meetings?
2 A. In Chad Ducote's absence.
3 Q. In Mr. Ducote's absence, you
4 would attend and perform the same duties as
5 him?
6 MS. FUMERTON: Objection.
7 Form.
8 THE WITNESS: Yes.
9 QUESTIONS BY MR. BOWER:
10 Q. So you were involved in
11 decisions of whether to cut orders of
12 controlled substances; is that correct?
13 MS. FUMERTON: Objection.
14 Form.
15 THE WITNESS: With compliance.
16 QUESTIONS BY MR. BOWER:
17 Q. Did you ever receive any
18 training in suspicious order monitoring?
19 MS. FUMERTON: Objection.
20 Form. Asked and answered.
21 THE WITNESS: I don't recall.
22 QUESTIONS BY MR. BOWER:
23 Q. Do you recall ever receiving
24 training in the opioid epidemic?
25 MS. FUMERTON: Objection.

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1 Form.
2 THE WITNESS: I don't recall.
3 QUESTIONS BY MR. BOWER:
4 Q. Do you ever recall receiving
5 training in diversion?
6 MS. FUMERTON: Objection.
7 Form.
8 THE WITNESS: No, I don't
9 recall.
10 QUESTIONS BY MR. BOWER:
11 Q. What qualifications did you
12 have to decide whether an order for
13 controlled substances would be cut?
14 MS. FUMERTON: Objection.
15 Form.
16 THE WITNESS: I don't -- I
17 don't know.
18 QUESTIONS BY MR. BOWER:
19 Q. What criteria did you use in
20 evaluating orders for controlled substances?
21 A. It was what compliance would
22 bring to us.
23 Q. Can you explain what you mean
24 by "what compliance would bring to us"?
25 A. What they had -- the data that

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1 they had pulled.
2 Q. They would bring that data to
3 the meetings?
4 A. Yes.
5 Q. And what would you do with the
6 data?
7 MS. FUMERTON: Objection.
8 Form.
9 THE WITNESS: They would
10 provide the information, and I would
11 always ask them what they -- what
12 their decision -- what their -- what
13 they would recommend us do and follow
14 that lead.
15 QUESTIONS BY MR. BOWER:
16 Q. Wasn't your role at those
17 meetings to provide your own opinion as to
18 whether an order should be cut?
19 A. With their recommendation.
20 Q. What criteria did you use to
21 determine whether an order should be cut?
22 MS. FUMERTON: Objection.
23 Form.
24 THE WITNESS: Whatever their
25 recommendation was.

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1 QUESTIONS BY MR. BOWER:
2 Q. Other than their
3 recommendation, did you have any other
4 criteria that you considered?
5 A. I asked questions. I don't
6 recall what questions I would ask.
7 Q. Did they come to the meetings
8 with the recommendations already made, or
9 were there discussions prior to the
10 recommendations being made?
11 MS. FUMERTON: Objection.
12 Form.
13 THE WITNESS: There were
14 discussions as we were walking through
15 the data.
16 QUESTIONS BY MR. BOWER:
17 Q. What type of things would you
18 discuss?
19 A. Whatever the data had. I mean,
20 said.
21 Q. Okay. Give us an example.
22 MS. FUMERTON: Objection.
23 Form.
24 THE WITNESS: I can't recall
25 what some of that data was.

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1 QUESTIONS BY MR. BOWER:
2 Q. Do you recall any discussions
3 regarding this issue?
4 I mean, you attended several
5 meetings, right?
6 Well, strike that.
7 You attended several meetings
8 in connection with the SOM review process,
9 correct?
10 MS. FUMERTON: Objection.
11 Form.
12 THE WITNESS: I attended some
13 meetings.
14 QUESTIONS BY MR. BOWER:
15 Q. How many would you say you
16 attended?
17 A. I don't know.
18 Q. Approximately. More than 50?
19 A. No.
20 Q. More than 25?
21 A. I don't know. I do not know.
22 Q. How long did the meetings last?
23 A. It depended on how many stores
24 were being reviewed.
25 Q. And did you receive any

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1 information before the meeting started?
2 A. No.
3 Q. Who attended the meetings?
4 A. Miranda Gan -- I mean, Miranda
5 Johnson. Roxy did.
6 Q. Anyone else that you can
7 recall?
8 A. I can't recall anybody else.
9 Q. Were notes kept at the
10 meetings?
11 A. I do not recall that.
12 Q. You do not recall anyone taking
13 notes at the meeting; is that correct?
14 A. That's correct.
15 Q. Do you know whether Walmart was
16 required to document its decisions of whether
17 to cut an order that had been flagged as an
18 order of interest?
19 MS. FUMERTON: Objection.
20 Form.
21 THE WITNESS: Can you repeat
22 that question?
23 MR. BOWER: Can you read that
24 back, please?
25 (Court Reporter read back

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1 question.)
2 THE WITNESS: Yes, they were
3 documenting that.
4 QUESTIONS BY MR. BOWER:
5 Q. And who was documenting it?
6 A. The pharmacy -- that team that
7 Dena was on. It was called the pharmacy
8 monitoring team.
9 Q. Were they at those meetings?
10 A. No.
11 Q. So no one was documenting the
12 discussions at the meetings; is that correct?
13 MS. FUMERTON: Objection.
14 Form.
15 THE WITNESS: I do not know if
16 somebody was.
17 MS. FUMERTON: Zach, I think
18 you have like two or three minutes. I
19 don't know if we can get a -- want to
20 go off the record for a second to get
21 a check on the time?
22 VIDEOGRAPHER: Going off the
23 record at 3:51 p.m.
24 (Off the record at 3:51 p.m.)
25 VIDEOGRAPHER: We're back on

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1 the record at 3:58 p.m.
2 QUESTIONS BY MR. BOWER:
3 Q. Ms. Sullins, I just have a few
4 more questions, closing up some questions
5 from this morning.
6 Do you recall I asked you
7 whether you were included on NACDS
8 communications?
9 A. I do recall you asking that
10 question.
11 Q. And in fact, you were on
12 communications regarding a various number of
13 issues, correct?
14 MS. FUMERTON: Objection.
15 Form.
16 THE WITNESS: I don't recall
17 that.
18 QUESTIONS BY MR. BOWER:
19 Q. You don't recall ever receiving
20 communications from NACDS regarding
21 hydrocodone reclassification?
22 A. I don't recall it.
23 Q. Do you recall being part of the
24 NACDS working group?
25 A. Yes, for serialization I was.

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1 Q. What about for anything else?
2 Did that group deal with
3 anything else other than serialization?
4 MS. FUMERTON: Objection.
5 Form.
6 THE WITNESS: I didn't attend
7 anything other than serialization.
8 QUESTIONS BY MR. BOWER:
9 Q. What do you mean by "attend
10 anything"?
11 A. I didn't attend a meeting with
12 NACDS other than serialization.
13 Q. Were you on e-mails discussing
14 the impact of the reclassification of
15 hydrocodone to Walmart?
16 A. I don't know if I was.
17 Q. Do you recall receiving those
18 e-mails?
19 A. I do not recall that.
20 Q. Did you ever attend HDMA
21 meetings?
22 A. I did.
23 Q. And what was the purpose of
24 attending those meetings?
25 A. For serialization.

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1 Q. What year did that start?
2 A. I don't know. Maybe 2012,
3 2013. I don't know.
4 Q. And is it your testimony today
5 the only reason you attended the HDMA
6 meetings was for serialization issues?
7 A. Yes.
8 Q. Did you attend the HDMA
9 distribution management conference?
10 A. No.
11 MS. FUMERTON: Objection.
12 Form.
13 THE WITNESS: No.
14 QUESTIONS BY MR. BOWER:
15 Q. Did you attend the HDMA
16 distribution manager conference in 2011?
17 A. No.
18 Q. Would you be surprised if
19 you're on their attendees list for 2011 as
20 attending?
21 A. I would be surprised.
22 Q. It's your testimony you never
23 attended such a meeting; is that correct?
24 A. Yes.
25 Q. And is -- what does PDFUA stand

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1 for?
2 A. PD --
3 Q. -- FUA, in connection with
4 NACDS communications.
5 MS. FUMERTON: Objection.
6 Form.
7 THE WITNESS: I don't know.
8 QUESTIONS BY MR. BOWER:
9 Q. Would that be related to
10 serialization?
11 A. It could be.
12 Q. I think it is. I'm not trying
13 to trick you or anything. I'm just trying to
14 understand -- unfortunately, I can't show you
15 these documents because they're marked
16 confidential, but I'm just trying to get your
17 understanding of your involvement.
18 Anyone else from Walmart
19 included on the NACDS communications?
20 MS. FUMERTON: Objection.
21 Form.
22 THE WITNESS: I believe there
23 is some other Walmart associates that
24 are included in that.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. Were you -- and I may have
3 asked this, but I'm going to ask it again.
4 Were you a member of the NACDS
5 supply chain working group?
6 A. Yes.
7 Q. And what was the purpose of
8 your membership in that group?
9 A. For serialization.
10 Q. Anything else?
11 A. No.
12 Q. That group didn't deal with the
13 reclassification of hydrocodone?
14 MS. FUMERTON: Objection.
15 Form. Lack of foundation.
16 QUESTIONS BY MR. BOWER:
17 Q. Is it your testimony as you sit
18 here today that you don't ever recall
19 receiving any communications from NACDS
20 regarding the reclassification of
21 hydrocodone?
22 A. That's correct.
23 (Walmart-Sullins Exhibit 24
24 marked for identification.)
25

<p style="text-align: right;">Page 382</p> <p>1 QUESTIONS BY MR. BOWER:</p> <p>2 Q. Exhibit 24. Okay. You've been</p> <p>3 handed what's been marked as Exhibit 24.</p> <p>4 It's just a one-page e-mail, and it's</p> <p>5 forwarded to you by Chad Ducote dated</p> <p>6 August 9, 2017.</p> <p>7 Just take a moment. I just</p> <p>8 have a few questions on this e-mail.</p> <p>9 A. Okay.</p> <p>10 Q. Do you recall receiving this</p> <p>11 e-mail from Chad?</p> <p>12 A. I didn't recall. I do not</p> <p>13 recall.</p> <p>14 Q. Is it a fair statement then</p> <p>15 that you didn't have the same concerns as him</p> <p>16 about the algorithm kicking off too many</p> <p>17 false positives?</p> <p>18 MS. FUMERTON: Objection.</p> <p>19 Form. Lack of foundation.</p> <p>20 THE WITNESS: Can you repeat</p> <p>21 your question?</p> <p>22 MR. BOWER: Sure.</p> <p>23 Can you just read back that</p> <p>24 question, please?</p> <p>25 (Court Reporter read back</p>	<p style="text-align: right;">Page 384</p> <p>1 MS. FUMERTON: Objection.</p> <p>2 Form.</p> <p>3 THE WITNESS: It was not in my</p> <p>4 job responsibilities.</p> <p>5 MR. BOWER: All right. I have</p> <p>6 nothing further.</p> <p>7 MS. FUMERTON: Okay. Can we go</p> <p>8 off the record for a second?</p> <p>9 VIDEOGRAPHER: Going off the</p> <p>10 record at 4:05 p.m.</p> <p>11 (Off the record at 4:05 p.m.)</p> <p>12 VIDEOGRAPHER: We're back on</p> <p>13 the record at 4:07 p.m.</p> <p>14 CROSS-EXAMINATION</p> <p>15 QUESTIONS BY MS. FUMERTON:</p> <p>16 Q. Good afternoon, Ms. Sullins. I</p> <p>17 just have a couple of questions to follow up</p> <p>18 on some of the questions that Mr. Bower asked</p> <p>19 you earlier.</p> <p>20 A. Okay.</p> <p>21 Q. Do you recall when Mr. Bower</p> <p>22 was asking you questions this morning about</p> <p>23 the P&L reports that you may have reviewed in</p> <p>24 some meetings?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 383</p> <p>1 question.)</p> <p>2 THE WITNESS: I wasn't -- I</p> <p>3 wasn't getting the data, so I can't</p> <p>4 say that I was or was not.</p> <p>5 QUESTIONS BY MR. BOWER:</p> <p>6 Q. Well, he forwards this e-mail</p> <p>7 to you, right?</p> <p>8 A. Yes, he sent it to three of us.</p> <p>9 Q. And he says, "It is often my</p> <p>10 opinion" -- referring to the algorithm,</p> <p>11 right -- "in kicking off too many alerts that</p> <p>12 are false positives."</p> <p>13 Do you see that?</p> <p>14 A. I see that.</p> <p>15 Q. Okay. So when you received</p> <p>16 this e-mail, it didn't impact what you were</p> <p>17 doing, right?</p> <p>18 A. It did not.</p> <p>19 Q. And you never followed up on</p> <p>20 it?</p> <p>21 A. No.</p> <p>22 Q. Never talked to anyone about</p> <p>23 the Buzzeo algorithm?</p> <p>24 A. No.</p> <p>25 Q. It didn't concern you at all?</p>	<p style="text-align: right;">Page 385</p> <p>1 Q. And just to orient us, I</p> <p>2 believe you said that those P&L reports were</p> <p>3 for each distribution center; is that</p> <p>4 correct?</p> <p>5 A. That's correct.</p> <p>6 Q. And if you could describe the</p> <p>7 P&L reports some more. For example,</p> <p>8 specifically my question is did the P&L</p> <p>9 reports have line items for specific drugs?</p> <p>10 MR. BOWER: Objection to form.</p> <p>11 THE WITNESS: No, they did not.</p> <p>12 QUESTIONS BY MS. FUMERTON:</p> <p>13 Q. Did they have line items for</p> <p>14 specific categories of drugs?</p> <p>15 A. No, they did not.</p> <p>16 Q. Was it -- if you can just</p> <p>17 describe then -- and I don't want to put</p> <p>18 words in your mouth.</p> <p>19 So was it just a P&L rolled up</p> <p>20 of all of the products that were being</p> <p>21 distributed from the distribution center?</p> <p>22 MR. BOWER: Objection. Form.</p> <p>23 THE WITNESS: It was -- yes, it</p> <p>24 was all items.</p> <p>25</p>

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1 QUESTIONS BY MS. FUMERTON:
2 Q. And so if I want to know what a
3 particular P&L report was for opioids, for
4 example, would I be able to find that out
5 from that report?
6 MR. BOWER: Objection to form.
7 THE WITNESS: No, you would
8 not.
9 QUESTIONS BY MS. FUMERTON:
10 Q. I think you also mentioned with
11 respect to the P&L reports that one piece of
12 information on the report was expenses; is
13 that right?
14 A. Yes, that's correct.
15 Q. Can you please just describe
16 what type of expenses would be reflected
17 there?
18 MR. BOWER: Objection to form.
19 If you have the reports, it
20 might be helpful to show her because
21 she testified she doesn't recall
22 what's on there.
23 QUESTIONS BY MS. FUMERTON:
24 Q. Go ahead and answer the
25 question.

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1 A. There would be expenses of
2 wages, overtime, utilities, rent,
3 depreciation and some other categories. I
4 don't know now.
5 Q. And then I think you also
6 testified -- and again, if I get the record
7 wrong, the record will say what it says --
8 that there was either a sale amount or a cost
9 of the drug; is that correct?
10 On the P&L report, that there
11 were the costs of the drug for -- or the
12 product from the DC to the pharmacy; is that
13 right?
14 A. It would be all the costs.
15 Q. Okay. And that's what I was
16 trying to get at. I was just trying to
17 understand what cost was there, because I
18 think you might have used the term "sale"
19 before.
20 But what you were referring to
21 is the sale from the DC to the pharmacy,
22 correct?
23 MR. BOWER: Objection to form.
24 THE WITNESS: That's correct.
25

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1 QUESTIONS BY MS. FUMERTON:
2 Q. And I think you also mentioned
3 that that was an accounting function. And
4 can you explain what you meant by that?
5 A. It's all done in the
6 background. They knew that that accounting
7 in the background, it's not anything that
8 is -- that comes directly to the DC.
9 Q. So is the pharmacy transferring
10 money to the DC when it places an order or
11 its invoice for a drug?
12 MR. BOWER: Objection to form.
13 Foundation.
14 THE WITNESS: No, it's not.
15 QUESTIONS BY MS. FUMERTON:
16 Q. Would it be accurate to
17 describe the rolled-up cost that you're
18 referring to as an internal allocation of all
19 of the product costs from the DC to the
20 pharmacy?
21 MR. BOWER: Objection. Form.
22 THE WITNESS: Yes.
23 QUESTIONS BY MS. FUMERTON:
24 Q. And I asked you to get
25 Exhibits 20 and 19 out in front of you.

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1 A. Yes.
2 Q. Do you see those?
3 A. Yes.
4 Q. And I just want to make sure
5 that the testimony is clear on -- with
6 respect to these exhibits.
7 With respect to Exhibit 19, you
8 were asked a series of questions about the
9 attachment, which is an excerpt of an Excel
10 spreadsheet, correct?
11 A. Yes.
12 Q. Did you pull this spreadsheet?
13 A. No, I did not.
14 Q. Do you know where this
15 spreadsheet was pulled from?
16 MR. BOWER: Objection to form.
17 THE WITNESS: I do not.
18 QUESTIONS BY MS. FUMERTON:
19 Q. And I'm just going to ask the
20 same set of questions with respect to
21 Exhibit 20.
22 That also is an e-mail with an
23 attachment with a -- appears to be some sort
24 of spreadsheet, correct?
25 A. Yes.

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1 Q. Did you pull the information
2 that is attached to Exhibit 20?
3 A. No, I did not.
4 Q. Do you know where it was pulled
5 from?
6 A. I do not know.
7 MS. FUMERTON: I have no
8 further questions.
9 MR. BOWER: I just have a
10 couple of follow-ups. Do you want to
11 switch back?
12 MS. FUMERTON: Let's go off the
13 record. Your rules.
14 VIDEOGRAPHER: Going off the
15 record at 4:12 p.m.
16 (Off the record at 4:12 p.m.)
17 VIDEOGRAPHER: We're back on
18 the record at 4:13 p.m.
19 REDIRECT EXAMINATION
20 QUESTIONS BY MR. BOWER:
21 Q. I think we're almost done,
22 Ms. Sullins. I just have a couple of
23 follow-up questions regarding what
24 Ms. Fumerton just asked you regarding the P&L
25 statements from the DCs.

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1 Okay?
2 A. Yes.
3 Q. Okay. Are you able, as you sit
4 here today, to recall all the information
5 that's on those statements?
6 A. No.
7 Q. Would you need to see those
8 statements in order to testify as to all of
9 the information that's on them?
10 A. Yes.
11 Q. Indeed, earlier today you
12 mentioned, for example, some things that
13 Ms. Fumerton did not suggest: the pick rate,
14 right, or the cost per pick?
15 A. The cost per pick shipped?
16 Q. Yeah. That's on there, right?
17 A. It's not on the P&L. It's -- I
18 don't know if it's on the P&L.
19 Q. You would need to see the P&L
20 in order to answer that question, right?
21 A. I would need to -- I would
22 need -- because I think that that was added
23 afterwards. I don't know if it's part of the
24 P&L.
25 Q. But it was part of your

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1 discussion in connection with the P&L,
2 correct?
3 A. Yes.
4 Q. And then you simply don't know
5 whether it's part of the P&L; isn't that
6 true?
7 A. I do not know.
8 Q. Because we don't have them,
9 right?
10 We don't have them today,
11 right?
12 MS. FUMERTON: Objection.
13 Form.
14 QUESTIONS BY MR. BOWER:
15 Q. Have we seen the P&Ls today?
16 A. We have not.
17 Q. Okay. Without those P&Ls you
18 cannot testify as to all the information on
19 them; is that correct?
20 A. That's correct.
21 MR. BOWER: I have nothing
22 further.
23 MS. FUMERTON: Okay. I
24 literally have like two questions just
25 to follow up on what you said. Are we

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1 really going to switch?
2 MR. BOWER: Yeah.
3 MS. FUMERTON: Okay. Can we go
4 off the record?
5 VIDEOGRAPHER: Going off the
6 record at 4:15 p.m.
7 (Off the record at 4:15 p.m.)
8 VIDEOGRAPHER: We're back on
9 the record at 4:15 p.m.
10 RECROSS-EXAMINATION
11 QUESTIONS BY MS. FUMERTON:
12 Q. Ms. Sullins, just a couple
13 quick questions.
14 Mr. Bower just asked you about
15 the cost per pick shipped.
16 Do you recall --
17 A. Yes.
18 Q. -- those questions?
19 Can you please describe what
20 that is?
21 A. It is the total expenses
22 divided by the total sales, and that gets you
23 the cost per pick shipped.
24 Q. And is that calculated on a
25 drug level?

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1 A. No.
 2 Q. So that's, again, calculated
 3 for all of the expenses at the DC?
 4 A. Yes.
 5 Q. Divided by all of the orders
 6 for all drugs for that DC?
 7 A. Yes.
 8 MS. FUMERTON: I have no
 9 further questions.
 10 MR. BOWER: I have nothing
 11 further.
 12 VIDEOGRAPHER: Going off the
 13 record at 4:16 p.m.
 14 This concludes the videotaped
 15 deposition of Ramona Sullins.
 16 (Deposition concluded at 4:16 p.m.)
 17 -----
 18
 19
 20
 21
 22
 23
 24
 25

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1 CERTIFICATE
 2
 3 I, CARRIE A. CAMPBELL, Registered
 4 Diplomat Reporter, Certified Realtime
 5 Reporter and Certified Shorthand Reporter, do
 6 hereby certify that prior to the commencement
 7 of the examination, Ramona Sullins was duly
 8 sworn by me to testify to the truth, the
 9 whole truth and nothing but the truth.
 10 I DO FURTHER CERTIFY that the
 11 foregoing is a verbatim transcript of the
 12 testimony as taken stenographically by and
 13 before me at the time, place and on the date
 14 hereinbefore set forth, to the best of my
 15 ability.
 16
 17 I DO FURTHER CERTIFY that I am
 18 neither a relative nor employee nor attorney
 19 nor counsel of any of the parties to this
 20 action, and that I am neither a relative nor
 21 employee of such attorney or counsel, and
 22 that I am not financially interested in the
 23 action.
 24
 25
 CARRIE A. CAMPBELL,
 NCRA Registered Diplomat Reporter
 Certified Realtime Reporter
 California Certified Shorthand
 Reporter #13921
 Missouri Certified Court Reporter #859
 Illinois Certified Shorthand Reporter
 #084-004229
 Texas Certified Shorthand Reporter #9328
 Kansas Certified Court Reporter #1715
 Notary Public
 Dated: January 8, 2019

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1 INSTRUCTIONS TO WITNESS
 2
 3 Please read your deposition over
 4 carefully and make any necessary corrections.
 5 You should state the reason in the
 6 appropriate space on the errata sheet for any
 7 corrections that are made.
 8 After doing so, please sign the
 9 errata sheet and date it. You are signing
 10 same subject to the changes you have noted on
 11 the errata sheet, which will be attached to
 12 your deposition.
 13 It is imperative that you return
 14 the original errata sheet to the deposing
 15 attorney within thirty (30) days of receipt
 16 of the deposition transcript by you. If you
 17 fail to do so, the deposition transcript may
 18 be deemed to be accurate and may be used in
 19 court.
 20
 21
 22
 23
 24
 25

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1 ACKNOWLEDGMENT OF DEPONENT
 2
 3
 4 I, _____, do
 5 hereby certify that I have read the foregoing
 6 pages and that the same is a correct
 7 transcription of the answers given by me to
 8 the questions therein propounded, except for
 9 the corrections or changes in form or
 10 substance, if any, noted in the attached
 11 Errata Sheet.
 12
 13 _____
 14 Ramona Sullins DATE
 15
 16 Subscribed and sworn to before me this
 17 _____ day of _____, 20 _____.
 18 My commission expires: _____
 19 Notary Public
 20
 21
 22
 23
 24
 25

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1	-----	
	ERRATA	
2	-----	
3	PAGE	LINE CHANGE/REASON
4	_____	_____
5	_____	_____
6	_____	_____
7	_____	_____
8	_____	_____
9	_____	_____
10	_____	_____
11	_____	_____
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17	_____	_____
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